

IronOak



IRON OAK

ANTI- SOCIAL BEHAVIOUR POLICY

Control Sheet

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1. Introduction

- 1.1. IronOak Homes, have several powers at its disposal to deal with tenants and their visitors who exhibit anti-social behaviour (ASB). These powers are contained in the 1996 Housing Act; the 2003 Anti-Social Behaviour Act; and the 2004 Housing Act and the Anti-Social Behaviour, Crime and Policing Act 2014.
- 1.2. This Policy sets out what IronOak Homes aims to do to help prevent anti-social behaviour and how we will deal with complaints about anti-social behaviour. As a responsible landlord and provider of housing-related support, IronOak recognises the role it must play in responding to concerns about anti-social behaviour. We understand our responsibility to ensure that all tenants enjoy their home in peace, free from the fear or threat of intimidation, harassment, or abuse of any kind.
- 1.3. We also recognise our responsibility to make sure as far as possible that the actions of our tenants do not interfere with their neighbours' quiet enjoyment of their home.
- 1.4. This Policy sets out IronOak Homes' approach to tackling ASB, through prevention, enforcement and support of victims. It applies to all tenants living in properties managed and owned by IronOak Homes, staff, and contractors of the organisation.

2. Purpose

- 2.1. The aim of this Anti-Social Behaviour Policy is to ensure that our properties and the surrounding neighbourhood are pleasant and secure places to live. It is not acceptable for our tenant, their visitors, family, or any other person to cause Anti-social Behaviour in our properties.
- 2.2. IronOak Homes aims to ensure compliance with the policy key objectives and will base its response on the following principles:
 - We expect our tenants (and their visitors) to be good neighbours, who will act reasonably and considerately, and who respect the different values and lifestyles present in the community.
 - Be proactive in preventing and dealing with anti-social behaviour.
 - Take a robust stance when perpetrators of ASB refuse to change their behaviour. We will take action within the boundary of the law if anti-social behaviour persists despite warning.

3. Definitions

- The term 'anti-social behaviour' covers a wide range of unacceptable activities that have a negative effect on the quality of neighbourhood life and the private lives of people living within those neighbourhoods
- IronOak uses the following definition of ASB, as stated in the Anti-Social Behaviour, Crime and Policing Act 2014: a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person; b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of

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residential premises; or c) Conduct capable of causing housing-related nuisance or annoyance to any person.

- People to whom the conduct may cause nuisance or annoyance includes a) Anyone who has a right to live in property that IronOak owns or manages; b) Those living in any other property in the neighbourhood, staff or contractors of IronOak Homes.
- Anyone else lawfully in such a property or in the locality for example, those working nearby, visiting the property or neighbourhood.

4. Policy

- 4.1. IronOak is committed to tackling ASB in a responsive and robust manner. IronOak recognise that if allowed to persist, ASB can significantly affect quality of life for our tenants, many with different degrees of vulnerability and that dissatisfaction with the living environment may have a negative impact on the mental health of our tenants. IronOak recognises that ASB can include a range of activities and is a problem which has many causes. It requires a wide range of responses to tackle it effectively. IronOak will balance enforcement action and intervention with informal resolution.
- 4.2. All tenants will be expected to show consideration to their neighbours by complying with the terms of their tenancy agreement and not to commit or allow their household members or visitors to commit acts of ASB. This includes harassment, annoyance or disturbance to other tenants, their visitors, or other people in the property, such as our staff and contractors. IronOak aims to deal with ASB in a proportionate and appropriate manner. Our approach will include engaging with Complainants and alleged Perpetrators, providing support and/or taking enforcement action.
- 4.3. IronOak will take a customer focused approach to tackling ASB, working with the Complainant and the alleged Perpetrator, aiming to reach agreed actions, timescales and ultimately closure. Except in very serious cases, our initial intervention will aim to stop the problem behaviour. IronOak recognises that early intervention is important to stop cases escalating
- 4.4. IronOak will consider legal action where there is sufficient evidence. Eviction will only be considered where other interventions have failed and will only be used as a last resort. Eviction will also be used in very serious cases where it is needed to provide protection for other tenants, staff or contractors.
- 4.5. IronOak will work with partner agencies to tackle the causes and effects of ASB, using a consistent and clear approach. Where necessary, IronOak will use a multi-agency approach in dealing with ASB by sharing knowledge and expertise, including feedback to assess the effectiveness of the interventions used.
- 4.6. IronOak will not tolerate abuse against staff or contractors, whether physical or verbal. IronOak will take appropriate action against tenants who are abusive, as set out in this policy. IronOak is committed to ensuring the safety of our staff. We will

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provide support which will include appropriate training to help staff to be confident and knowledgeable to identify and investigate ASB allegations, cope with difficult and challenging situations and keep staff up-to-date with current best practice and legislation, including awareness of and protection of adults from abuse.

4.7. Examples of anti-social behaviour are (but are not limited to):

- Harassment, domestic, verbal, or physical abuse
- Racial Abuse or Hate Crime
- Criminal Damage including vandalism.
- Damage, removal and/or disposal of any IronOak's property including furniture, furnishings and white goods provided for use in the premises or any communal areas.
- Keeping or using paraffin, petrol, bottled gas or any other dangerous material or equipment in the premises or any communal areas
- Noise nuisance
- Drunk and disorderly conduct
- Threatening or intimidating behaviour
- Substance misuse/dealing.
- Graffiti
- Litter and rubbish dumping
- Prostitution

5. How the policy will be delivered

5.1. IronOak believes that everyone has the right to live the way they want and enjoy peaceful enjoyment of their home if it does not unlawfully spoil the quality of life of others. When anti-social behaviour occurs, we will make every effort to resolve it by:

- Recognising potential problems and being proactive about prevention
- Taking seriously all reports of ASB
- Responding to reports quickly in an effective, sensitive, and consistent manner
- Actively working with service users and other agencies to tackle ASB.
- Supporting the victims of ASB
- Using information and performance against target to ensure continuous improvement.
- Ensuring perpetrators understand the impact of their actions and giving them an opportunity to change their behaviour.

5.2. Not all allegations of Anti-social behaviour are right. It is important to show tolerance and be respectful of differing lifestyles and circumstances. The following are some examples of allegations that does not fall within this policy's definition of anti-social behaviour:

- Noise from children when they're playing.
- Family disputes
- Babies crying
- Smells from cooking

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- Sounds of normal day to day living such as opening and closing of doors, going up and down stairs
- One-off parties such as BBQs, birthday or Christmas parties provided the noise level is not heard outside the property between the hours of 11:00pm and 7:00am.
- Differences of lifestyle, including cultural differences
- Minor personal differences or falling outs.
- Putting rubbish out on the wrong day

5.3. IronOak will manage tenants' expectations regarding behaviour that is not defined as ASB by offering advice and guidance and encouraging tenants to resolve the issues themselves.

- Responding to ASB

5.4. We are committed to stopping ASB in a robust manner. We take a three-stage approach to dealing with the issue:

- Prevention
- IronOak uses several preventative measures to stop ASB from happening. This includes carrying out property and tenancy inspections and being clear about our approach to dealing with ASB when tenants first move in.
- Intervention
- When a case of ASB is reported our first step is to log this and create an action plan. The plan includes actions for IronOak, the Complainant and alleged Perpetrator. We will ask the Complainant to keep a record of incidents and ask them to contact the Police in an emergency. The intervention we use will depend on the type of ASB reported. Sometimes we may not be able to solve the problem alone and will need a multi-agency approach.
- Where anti-social behaviour persists, or where Anti-Social Behaviour prevents IronOak from carrying out its housing management function, we will use the powers available to us within the Anti-Social Behaviour Crime and Policing Act 2014 to end such behaviour. These powers include: IPNAs, Absolute Ground for Possession and Community Protection Orders.

5.5. If the ASB continues, IronOak may have no choice but to take legal action. We will support the Complainant and Witnesses through the process and work with our legal partners to get a successful result.

6. Related documents

6.1. This policy statement and associated policy guidance documents and procedures comply with the Regulator of Social Housing's Neighbourhood and Community Standard for ASB.

6.2. The most important legislation and case law that currently governs registered providers' policy and practice are:

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- Anti -Social Behaviour, Crime and Policing Act 2014
- Race Relations Act 1976 and Amendment Act 2000
- Equality Act 2010 Housing Act 1985,1988,1996, 2004
- Antisocial Behaviour Act 2003 Human Rights Act 1998
- Police and Justice Act 2004 Mental Health Act 1983, 2007
- Crime and Disorder Act 1998 Noise Act 1996
- Noise and Statutory Nuisance Act 1993
- Anti-Social Behaviour Crime and Policing Act 2014
- Protection From Harassment Act 1997
- Data Protection Act 1998 Homelessness Act 2002
- Environmental Protection Act 1990

7. Consultation and business intelligence

7.1. Service Standards

7.1.1. IronOak will follow a set of service delivery standards when dealing with complaints of anti-social behaviour. These are:

- All allegations of nuisance will be treated seriously and thoroughly and investigated in a non-judgmental way.
- All cases will be risk assessed as part of developing the action plan.
- If the allegation does not constitute ASB, the Complainant will be told and advised to resolve the issue amicably.
- IronOak will try to identify and interview all involved parties.
- Allegations will always be discussed with the alleged Perpetrator, except if the Complainant does not want them to be contacted.
- Anonymity of Complainants will be maintained wherever possible.
- Where possible, evidence will be obtained from third party witnesses or from other agencies such as the Police, Environmental Health Officers, or Anti-Social Behaviour Officers.
- Confidentiality will be maintained, if possible, where appropriate or requested

7.1.2. This Policy will be reviewed every 24 months from the date of approval to ensure its continuing suitability, adequacy and effectiveness or as required by the introduction of new legislation or regulation that impacts on the anti-social behaviour obligations of IronOak, changes to IronOak business practices or in light of management system audits.

7.1.3. The next review date for this policy is July 2025.

8. Monitoring arrangements

8.1. IronOak Homes will monitor performance against the following key performance indicators:

- Number of new cases
- Number of cases closed.

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- Percentage of Complainants satisfied overall (target 85%)
- Number of cases 6 months or more
- Number of NOSPs served for ASB.
- Number of cases referred to court.
- Number of evictions for ASB

8.2. IronOak will treat all customers with fairness and respect. IronOak recognise that it has an ethical and legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

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