



ANTI-SOCIAL BEHAVIOUR HATE CRIME AND INCIDENT POLICY

In partnership with



Gloucester City Homes contact information

How to contact us

Customer Services Team
Gloucester City Homes
Railway House
Gloucester
GL1 1DG

Customer Services Line: 0800 408 2000 (Freephone)

Or 01452 424344

Text: 0778 148 2656

Fax: 01452 833101

Minicom: 01452 396161

Email: customer.services@gloscityhomes.co.uk

Website: www.gloscityhomes.co.uk

GCHTV on the Looking Local service on Sky, Virgin Media mobile phone and Nintendo Wii

You can also contact us using our online reporting forms.

Please note our website is speech enabled and you can adjust the size of the text and translate it to other languages.

Gloucester City Homes document format information

If you would like any part of this document explained, translated or provided in another format such as large print, audio or Braille, please contact our Customer Services Team on 0800 408 2000.

Bengali

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান অথবা যদি আপনার একজন ইন্টারপ্রেটারের প্রয়োজন হয়, তাহলে দয়া করে আমাদের সাথে যোগাযোগ করুন।

Chinese

本文件可以翻译为另一语文版本，或制作成另一格式，如有此需要，或需要传译员的协助，请与我们联系。

Gujarati

જો તમને આ દસ્તાવેજ બીજી ભાષા અથવા રચનામાં જોઈતો હોય, અથવા જો તમને ઇન્ટરપ્રિટરની સેવાઓ જોઈતી હોય તો, કૃપા કરી અમારો સંપર્ક સાધો.

Polish

Aby uzyskać ten dokument w innym języku lub formacie, albo jeżeli potrzebujesz usług tłumacza, skontaktuj się z nami.

Urdu

یہ دستاویز اگر آپ کو کسی دیگر زبان یا دیگر شکل میں درکار ہو، یا اگر آپ کو ترجمان کی خدمات چاہئیں تو برائے مہربانی ہم سے رابطہ کیجئے۔

[Translation reads: If you would like this document in another language or format or require the services of a translator, please contact us.]

APPROVED	ASB Hate Crime Policy CONTROLLED
<p>Important Notice: Printed paper copies of this procedure are uncontrolled. The current version of this procedure is available on the Intranet</p>	

Documentation Master Sheet
Amendments to this Document are Detailed Below

Version Number	Date Amended	Comments	Date Approved	Author	Approved By
1	22/06/2006	First Draft		SAH	
2	09/08/2006	Second Draft		GIH	
3	05/10/2006	Third Draft		NW/SAH	
4	07/12/2006	Fourth Draft		NW	
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6	N/A	Approved	17/01/2007	--	S&O
7	20/01/2007	Bookmarks/appendices		NW	
8	12/03/2007	Amendment Flowchart		NW	
9	21/03/2007	Amendment to intervention/Remedy		NW	
10	19/04/2007	Formatting		NW	
11	30/05/2007	Amendment to Policy Statement		NW	
12	06/08/2007	Formatting corrections		KC	
13	03/01/2008	Minor amendment – reference to ‘zero tolerance’ removed from policy		PA	
14	16/03/2010	Major review	29/03/2010 28/04/2010	VK-L	Customer Forum Services & Operations Committee
15	06/02/2012	Relocation update		KC	

Summary of most recent changes:

A major review and consolidation of policy, it now incorporates hate crime, domestic abuse, publicity and witness support.

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GLoucester City Homes ANTI-SOCIAL BEHAVIOUR, HATE CRIME & INCIDENT POLICY

1. Introduction

Gloucester City Homes (GCH) is an arms length management organisation providing housing management services to around 4800 tenants and leaseholders on behalf of Gloucester City Council. An arms length management organisation is a not for profit company set up by a Council to manage, maintain and improve it's housing stock.

GCH took over the housing management function, maintenance and improvement of Gloucester City Council's (GCC) housing stock in December 2005.

This Policy has been developed in line with the Crime and Disorder Act 1988 and Anti-Social Behaviour Act 2003, which defines anti-social behaviour as "*acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator.*"

In order to demonstrate our commitment to resolving anti-social behaviour and delivering high quality services GCH have signed up to the Government's RESPECT Standard.

The Government launched the RESPECT Standard for Housing Management on 17th August 2006. It outlines the main elements essential to delivering an effective response to anti-social behaviour through:

- accountability
- leadership and commitment
- empowering and reassuring residents
- prevention and early intervention
- tailored services for residents and provision of support for victims and witnesses
- protecting communities through swift enforcement and;
- support to tackle the causes of anti-social behaviour.

GCH aims to ensure that tenants and leaseholders live peacefully within their own homes and communities. We recognise that failure to tackle anti-social behaviour effectively could substantially blight the quality of life for those people living with anti-social behaviour or noise nuisance, and can also damage our ability to develop sustainable communities.

2. Service Standards

Key Objectives

We will investigate all complaints of anti-social behaviour, domestic abuse and hate crime thoroughly; we will do this by:

1. Encouraging residents whether they are tenants of Gloucester City Homes or they own their property to report incidents of anti-social behaviour to us.
2. Taking appropriate and proportionate action against perpetrators of anti-social behaviour, hate crime and domestic abuse, whether it is being caused by them, visitors to their property and/or their family. (A perpetrator is the person causing the anti-social behaviour.)
3. Providing support to complainants and/or witnesses of anti-social behaviour. We will also offer support to any vulnerable perpetrator, we recognise that it is possible to improve poor behaviour to the point where it becomes acceptable.
4. Working with our multi-agency partners to prevent incidents of anti-social behaviour, recognising that prevention is better than cure. We will do this by referring residents to mediation, Family Intervention Project, and support services where appropriate. We aim to resolve the majority of complaints of anti-social behaviour through non-legal means.
5. Monitoring the quality of our service by setting service standards with our customers and completing customer satisfaction survey's when cases are closed.

Service Standards

When you make a complaint of anti-social behaviour we will:

- Contact you within 1 working day for serious cases of anti-social behaviour and 1 working days for minor anti-social behaviour. (Page 7 explains what we consider to be serious and minor asb)
- Agree an action plan with you within 1 working day for serious cases of anti-social behaviour and 5 working days for minor anti-social behaviour.
- Arrange an interview with you within 1 working day for serious cases of anti-social behaviour and 5 working days for minor anti-social behaviour.
- If you report an incident to our out of hours Anti-Social Behaviour Respect Line, the details will be passed to the Anti-Social Behaviour Team who will endeavour to contact you the next working day.

3. Types of Anti-Social Behaviour

GCH classify anti-social behaviour into two categories serious and minor.

Types of Anti-Social Behaviour by Classification and Service Standards

	Types of ASB	Service Standards
Serious	<p>Racial Harassment Hate Crime (<u>see page 12 for further details</u>) Domestic Abuse Sexual Harassment Actual Violence Threats of Violence Suspected drug using/dealing Verbal Abuse</p> <p>Alcohol related nuisance Using, owning or storing an offence weapons (including unregistered firearms) Intimidation Criminal Damage** Noise Nuisance*</p>	<p>First contact within 1 working day Action plan agreed within 1 working day.</p> <p>A copy of Gloucester City Homes Anti-Social Behaviour Hate Crime and Incident Policy will be explained to all parties.</p> <p>**The Police will deal with criminal damage in the first instance, if it becomes a tenancy related incident the ASB Team will also deal with the complaint in accordance with this Policy.</p>
Minor	<p>Graffiti Parking Dispute Begging Vandalism Abandoned Vehicles Boundary and Hedge Disputes Animal nuisance (dog barking, dog fouling) Door Slamming Rubbish Dumping Litter Spitting, urinating in the communal area Playing ball games close to someone's property (that is causing a nuisance.)</p>	<p>First contact within 1 working days Action plan agreed within 5 working days</p> <p>Cases involving minor anti-social behaviour may be referred to the Neighbourhood Management Team to deal with.</p>

* Noise nuisance complaints will be referred to Environmental Protection at GCC for further investigation. Should noise nuisance be proven they will take the appropriate action against the perpetrator(s) and refer the case back to GCH for further action. They may request further information from you in order to investigate your complaint effectively.

Anti-Social Behaviour can include a wide range of behaviour that can affect the lives of people experiencing it. However we do not consider everything that is reported to us to be anti-social behaviour, for example:

- People walking noisily across their floor in shoes (in our flats)
- Children playing in their own home
- People using their washing machine
- Cooking smells
- Loud talking
- Disputes between children.

In these cases we will give advice and guidance to the complainant and in some circumstances we will contact the people you have complained about to resolve the situation. However we would consider this to be minor lifestyle differences or everyday living noises and therefore will not deal with these complaints under this policy. We may however, offer a referral for mediation to resolve the matter.

We do not consider children playing ball games to be anti-social behaviour, complaints regarding this will be referred to our Neighbourhood Management Team who will work with all parties to resolve the issue, however if this behaviour amounts to verbal abuse, intimidation or criminal damage then it will be dealt with under the terms of this policy.

4. Reporting Anti-Social Behaviour

If you are experiencing anti-social behaviour you can report it to GCH by:

Telephone: 0800 408 2000
Fax: 01452 833101
Email: customer.services@gloscityhomes.co.uk
Online: www.gloscityhomes.co.uk
Text: 07781482656
Respect Line: 0800 408 2000 and choose Option 3
(Out of hours emergency number)
In person: At GCH Office

You can also write to us at:

Gloucester City Homes
Railway House
Bruton Way
Gloucester
GL1 1DG.

5. The Responsibility of Tenants, Leaseholders and the Community

In order for the Anti-social Behaviour Team to investigate complaints thoroughly we require as much information from complainants as possible. When a complaint is received we will always try to make contact with complainants, therefore it is important for complainants to return our telephone calls, respond to our letters and be available for pre-arranged meetings or home visits.

We may also require the complainant to keep an incident diary of the nuisance they are experiencing; in these cases we will provide Incident Log Sheets.

We will make several attempts to contact complainants when we receive a complaint and throughout the progress of our investigation, if complainants do not respond to our contact then we may have no choice but to close the case due to lack of contact.

GCH investigate all complaints thoroughly and therefore expect complainants to make accurate complaints, malicious or false complaints could lead to further action being taken against the complainant.

The Responsibility of Tenants

GCH Tenants have a responsibility to comply with the conditions of their tenancy agreement; they are also responsible for the behaviour of members of their household and visitors to their property. The tenancy agreement outlines the responsibility of tenants, members of the household and their visitors:

Section E – Tenants Duties

(b) Tenants, members of the household and visitors must not:-

- cause or permit a nuisance, annoyance or disturbance to any other person. Examples of nuisance, annoyance or disturbance include:

Loud music; arguing and door slamming; allowing excessive or prolonged dog barking, dog fouling; offensive drunkenness; selling drugs or drug abuse; solvent abuse; rubbish dumping; playing ball games close to someone else's property.

- harass or allow to be harassed any other person. Examples of harassment include:

racist behaviour or language; using or threatening to use violence; using abusive or insulting graffiti or behaviour; damaging or threatening to damage another persons property or possessions; writing threatening, abusive or insulting graffiti; doing anything that interferes with the peace, comfort or convenience of other people.

- Use or allow the Property to be used for any illegal or immoral purpose including storage, or possession of/or dealing in stolen property or illegal drugs and must not deal drugs in the locality of the Property.
- The Tenant must not inflict domestic violence or threaten violence against any other person (they could be living with Tenants or in another Council Property.) Tenants must not harass or use mental, emotional or sexual abuse to make anyone who lives with them leave the property.

For a full list of Tenant Duties please refer to your Tenancy Agreement and/or the Tenants Handbook.

The Responsibility of Leaseholders

GCH Leaseholders must comply with the terms of their lease and therefore cannot cause a nuisance, alarm or distress to their neighbours or anybody conducting lawful activity in the locality of their vicinity. If a leaseholder is in breach of the conditions of their lease, further action can be considered.

The Responsibility of the Community

We appreciate that anti-social behaviour can affect the wider community, in order for complaints to be investigated effectively we require members of the community to report any incidents of anti-social behaviour that they witness, and not to engage in any incidents of anti-social behaviour. If we cannot deal with your complaint, we will tell you and give you advice and guidance about other agencies that may be able to help.

6. Our Approach to Resolving Anti-Social Behaviour

GCH investigate complaints that involve one of our tenants, this could be a tenant complaining about another tenant, leaseholder, owner-occupier or private tenant. We also investigate complaints made by leaseholders, owner-occupiers, private tenants about one of our tenants.

We will also investigate complaints if anti-social behaviour is being caused by a visitor to a tenant's property. Action can be taken against the tenant if they knowingly permit a family member or visitor to cause a nuisance whilst visiting or residing at their property.

All complaints received that do not involve one of our tenants will be referred to Crime and Disorder Reduction Partnership (CDRP) for further investigation.

We will agree an action plan with the complainant when the initial complaint is made and we will review this regularly to ensure that the complainant is kept up to date with the progress of the investigation.

The action that we take will be proportionate and appropriate to the nuisance that is being reported and the alarm and distress caused to the victim(s).

We will investigate anonymous complaints as far as we can; however we will not be able to provide feedback to complainant or gain further information. Therefore this will limit the amount of action we are able to take. If complainants wish to remain anonymous in the event of Court proceedings we will use professional witnesses or CCTV where a case warrants it.

Officers will be honest and upfront with complainants right at the very start of their complaint, we will not make any promises that we cannot follow through and we have a transparent Policy with no surprises.

As a means to resolve anti-social behaviour we **will not** move either the perpetrator or the complainant (except where there is exceptional circumstances), we will work with all parties to resolve the nuisance behaviour. We work closely with GCC on the allocation of properties as we recognise that some properties will need to be let sensitively.

We will work with perpetrators by offering external support to modify their behaviour and educate them on the effects anti-social behaviour has on the community. We will also work with youth groups, local schools and community groups to provide information about anti-social behaviour.

GCH works in Partnership with other agencies such as the Police, CDRP, Family Intervention, Environmental Health, Health Services, and Support Services to prevent and resolve nuisance behaviour. We will refer people to these services if needed. We will refer families perpetrating serious anti-social behaviour, to the Family Intervention Project who may provide intensive family support as means to resolve the anti-social behaviour.

We will provide new tenants with information regarding anti-social behaviour and the possible consequences of such behaviour. GCH have introductory tenancies and therefore will monitor this closely throughout the first 12 months of their tenancy.

GCH recognise that by dealing with complaints early this may prevent incidents escalating or being repeated. Therefore, we deal with complaints quickly and proactively.

We appreciate completing an Incident Diary can be time consuming or difficult, we will only request short focused Incident Log Sheets for a set period of time (usually two weeks), incidents can also be reported to our Out of Hours ASB Respect Line who will produce an incident log on the complainants behalf and forward it to the ASB Team the next working day.

7. Partnership Working

Partnership working is essential for us to prevent and resolve anti-social behaviour quickly and effectively. GCH recognise that this is fundamental to providing an holistic approach to tackling anti-social behaviour and its causes.

Our Partners include:

- Police
- Environmental Health
- Health Services
- Children and Young People's Department
- Youth Offending Service
- Crime and Disorder Reduction Partnership
- Support Services
- Mental Health Services

(This list is not exhaustive.)

As part of our commitment to Partnership working GCH attends and contributes to the Anti-Social Behaviour Steering Group, Crime and Disorder Reduction Partnership Board and Family Intervention Executive Board, all of which are multi-agency forums aimed at strategically planning and allocating the appropriate resources to resolve anti-social behaviour within Gloucester.

With our Partner Agencies we are signed up to an information sharing protocol, which enables us to share appropriate and relevant information with each other in line with the Data Protection Act 1998 and the Crime and Disorder Act 1998.

GCH also works with tenant and resident's groups, neighbourhood partnerships and community based organisations to identify and prevent anti-social behaviour. Representatives from these groups are invited to participate in the development of the anti-social behaviour service provision.

We also hold Focus Groups with our customers; these are an opportunity for our customers to help us improve our services.

8. Working with vulnerable tenants

GCH understands the importance of supporting tenants to maintain their tenancy, as part of this we will support vulnerable tenants by referring anyone who we know or suspect has a vulnerability to a specialist support service, providing that they are willing to receive the support.

We expect tenants to comply with the conditions of their tenancy, however we recognise that some tenants may find this more difficult than others. Therefore we will work with alleged perpetrators to modify their behaviour by referring them to specialist support services and coordinating multi-agency meetings to establish a support network. However we make it clear that failure to engage may result in legal action being taken against them.

9. Tackling Anti-Social Behaviour

GCH recognise that the majority of complaints can be resolved by non-legal means. Our Officers will make every attempt to resolve anti-social behaviour through non-legal means in the first instance, as we recognise that early intervention can stop anti-social behaviour from escalating.

We will make referrals for mediation between neighbours to resolve the situation amicably; mediation requires consent from both parties and a willingness to resolve the dispute.

However in some situations this will not be possible and immediate legal action may be taken to protect our tenants, leaseholders and communities from those causing anti-social behaviour.

Resolving anti-social behaviour through non-legal means:

- Mediation
- Acceptable Behaviour Contracts
- Parenting Agreements
- Good Neighbour Agreements
- Warning Letters
- Referrals to Support Services
- Residents Meetings
- Dispersed Tenancy
- Family Intervention Tenancies
- Ending Introductory Tenancies

Resolving anti-social behaviour through legal means:

- Notice of Seeking Possession
- Anti-Social Behaviour Injunctions
- Anti-Social Behaviour Orders (ASBO)
- Criminal Anti-Social Behaviour Orders (CRASBO)
- Parenting Order
- Court Undertaking
- Termination of Introductory Tenancy
- Demotion of Tenancy
- Possession
- Suspended Possession Order
- Crack House Closure
- Premises Closure
- Dispersal Orders

When resolving anti-social behaviour through legal means we may work with other partner agencies such as Gloucestershire Police, Environmental Health Services and the Youth Offending Services.

10. Supporting Witnesses

GCH understands that taking action against perpetrators of anti-social behaviour can be a frightening experience, and that being a witness in an anti-social behaviour case can be daunting. In order to ensure that a successful outcome is achieved in Court it is essential for witnesses to be prepared to be involved.

In many cases without the help of complainants continually reporting anti-social behaviour to us, action could not be taken. Therefore we will do everything we can to ensure that witnesses feel supported throughout the process and continually supported after if necessary.

Where the witness or victim of anti-social behaviour is a GCH Tenant we will support them to stay in their own home. We do not move victims or perpetrators as a means to resolve anti-social behaviour (except in extreme circumstances).

Target Hardening Measures:

Steps can be taken to help secure a property or to provide extra reassurance to witnesses or victims of anti-social behaviour. The anti-social behaviour officer will discuss the measures available; these may include one or more of the following:

- Additional window locks
- Letter box covers
- Smoke alarms
- 24 hour panic alarm
- Additional door locks
- Make a referral to the Sanctuary Scheme
- Door bars
- Dummy CCTV Cameras
- Environmental works around the property
- Movement sensitive lighting

Reassurance Packs:

GCH can issue a reassurance pack to witnesses or victims of anti-social behaviour, the pack is tailored to the individual needs and can include panic alarms, light timers, safe cans, window alarms, door alarms and information literature on crime prevention and personal safety.

Sanctuary Scheme:

The Sanctuary Scheme provides victims of domestic violence or violent incidents with a real alternative to becoming homeless as a result of the fear they experience at home. The Scheme involves the Crime Prevention Team at Gloucestershire Police carrying out an assessment of the victim's property and making recommendations for extra security devices to be fitted by the Sanctuary Scheme. The purpose of this is to reduce the fear victims feel within their own home from the perpetrators.

Witnesses in Court:

Where witnesses are required to provide evidence in Court, GCH will work with witnesses to ensure that they feel supported through the process. We will explain what can be expected when attending Court and will arrange a pre-court visit when necessary.

Witnesses can expect to receive the following when attending Court:

- Transport to and from Court
- Refreshments and Lunch (for all day hearings)
- An escort during the hearing (this will usually be the ASB Officer)
- Compensation for loss of earnings.
- Support throughout the Court process

Once a Court case is concluded we will continue to provide support to witnesses for a period of time, this will be agreed with the witness.

11. Hate Crime and Incidents (Including racial harassment, homophobia)

Gloucester City Homes consider incidents of hate crime to be very serious anti-social behaviour and will deal with all complaints of hate crimes in line with our hate crime policy.

We define a hate crime as:

"any hate incident, which is perceived by the victim or any other person, as being motivated by prejudice or hate".

Examples of a hate crime or incident could be because of someone's gender, religion, age, faith, race, disability, or because they are gay, lesbian or transgender.

When a hate crime or incident is reported to us, we will investigate it thoroughly and will contact the complainant the same day to discuss the incident or the next working day if it is reported out of hours. After a thorough investigation of an incident it may be clear that the harassment is not motivated by prejudice or hate, but by using the complainant's perception we ensure that any prejudice or hate is fully considered throughout the investigation.

Where a hate crime or incident is reported to us we cannot take enforcement action without evidence.

All complainants and witnesses will be supported throughout the investigation and will be dealt with in a supportive, sensitive way. If you are feeling vulnerable in your home following a hate crime incident we will offer you target hardening measures as described in Supporting Witnesses.

We can also make referrals to appropriate support agencies such as Gay-glos, Knightstone or the Citizens Advice Bureau to provide you with additional support.

Where there is offensive graffiti on a property as a result of a hate crime or incident we will remove it within one working day. We will also endeavour to repair damage to a property within one working day where a hate crime or incident has occurred.

12. Domestic Abuse

We are committed to tackling all forms of domestic abuse, and anyone found committing it is in breach of their tenancy conditions. This could lead to further action being taken against them or their tenancy.

We define domestic abuse as:

'any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality'

When an incident of domestic abuse is reported to us, we will contact the complainant the same day to agree an action plan with them. We will then carry out a thorough investigation and discuss a resolution with them.

Where a domestic abuse incident is reported to us we cannot take enforcement action without evidence.

We will work with our multi-agency partners to provide additional support. All complainants and witnesses will be supported throughout the investigation and will be dealt with in a supportive, sensitive way.

If you are feeling vulnerable in your home following a domestic abuse incident we will offer to make a referral to the Sanctuary Scheme. The Sanctuary Scheme provides a real alternative for victims of domestic abuse to remain in their own home by providing extra security measures and a safe room where appropriate. Referrals are made to the Crime and Disorder Reduction Partnership, who will contact you to arrange a home visit.

We will also provide information to the Central Allocation & Referral Point (CARP) and the MARAC. The MARAC process is part of a countywide strategic response to domestic abuse, that aims to increase identification of victims at very high risk of serious harm from domestic abuse; and then to produce a multi agency risk management plan to reduce the risks to victims, their children and any other vulnerable person in the household.

If you are a man or woman living with, considering leaving, or continuing to have problems with an abusive partner in Gloucestershire, you can call the Central Allocation & Referral Point (CARP) on: **0845 6029035**.

13. Supporting Perpetrators

GCH aims to tackle the causes of anti-social behaviour in our communities by challenging behaviour and providing remedies to resolve the behaviour. We recognise the importance of giving perpetrators the opportunity to modify their behaviour and make positive changes.

In the majority of cases we will work with perpetrators to resolve the anti-social behaviour and take into account any underlying factors that may be causing the behaviour, for example:

- Family or relationship breakdown
- Mental health
- Learning disabilities
- Clash of life styles

However this is not possible in some cases and therefore we may take immediate legal action, for example where violence is involved.

When we receive a complaint of anti-social behaviour we will contact the alleged perpetrator and explain the complaint to them. We will also arrange an interview so that we can discuss this with them and agree a resolution.

We will offer to make referrals to support agencies such as floating support services, Gloucestershire Drug and Alcohol Service, Rethink, Family Intervention Project to provide additional support.

If the perpetrator does not modify their behaviour or engage with us we may consider taking further action against them or their tenancy.

If the perpetrator is a Gloucester City Homes tenant and causes damage to their property as a result of anti-social behaviour they will be recharged for the damage to their property under the terms of the Recharge Policy expect in the event of exceptional circumstances.

Vulnerable Perpetrators:

When a complaint of anti-social behaviour is made against someone who we know or suspect to be vulnerable, we will link in with the appropriate support agency and work with them to modify their behaviour. However failure to engage with the support service may result in further action being taken against them or their tenancy.

14. Closing Cases

GCH will close cases when the anti-social behaviour has been resolved and the complainant is happy for us to do so or if the complainant fails to provide us information or make contact with us.

If we are satisfied we have taken every reasonable and proportionate step to resolve the anti-social behaviour we will close the case, even if the complainant does not want us to. We will explain the reasons why we have closed the case and will provide alternative advice.

When a complaint of anti-social behaviour is made we will make every effort to contact the complainant to discuss the case further. We will also contact them through various stages of the investigation to update them on the situation. If the complainant does not keep in contact with us we will not assume that the nuisance has been resolved and we will try to make contact with them before deciding to close the case.

Only when we have made several attempts to contact complainants by telephone, letter or home visit, will we decide to close the case.

We will regularly review cases to prevent them from being left open indefinitely.

Cases can be re-opened at any time, but there must have been a further incident connected to the case to enable us to do so.

15. Performance Monitoring

When we close a case of anti-social behaviour we will send out a Satisfaction Survey to all complainants. We will follow this up with a telephone survey if we do not receive the postal one back.

Levels of customer satisfaction are monitored and a report is provided to the GCH Executive Management Team on a monthly basis.

Any survey's that are returned indicating a dissatisfaction will be reviewed by the Anti-Social Behaviour Manager. The Anti-Social Behaviour Manager will contact the complainant and discuss the case with the Anti-Social Behaviour Officer to establish whether everything that could have been done to resolve the complaint has been done.

The Anti-Social Behaviour Manager will also audit live cases to ensure that our service standards are being met.

16. Confidentiality

We understand that making a complaint of anti-social behaviour can be frightening, therefore we will respect the rights of our complainants to confidentiality and will always request their permission before sharing any information they give us with third parties.

We will fully comply with the requirements with the Data Protection Act 1998 and any other relevant legislation.

17. Publicity

It is important for our communities to see the successes of tackling anti-social behaviour, and therefore publicising successful results of both legal and non legal actions is essential to building safer communities.

Therefore, we will publicise all positive legal and non legal actions in GCH Tenant Times and the local media. From time to time we will publicise positive actions within the housing sector, via professional magazines and publications.

We will also publicise statistical information showing numbers of cases, actions, resolutions and court results to our tenants, resident groups and multi-agency partners.

If we seek any anti-social behaviour orders (ASBO's) or anti-social behaviour injunctions (ASBI's) we may produce information for all relevant parties, this will include details of the name and age of the perpetrator, together with a list of the prohibitions and the expiry date of the order.

18. Protection of Staff

GCH will not tolerate any verbal or physical abuse or threats towards our staff, agents or contractors.

We will take strong action against anyone who is abusive; this could result in legal action such as an injunction, possession proceedings or both.

19. Training Staff

GCH recognise that in order to resolve anti-social behaviour effectively it requires knowledge and well trained staff to deliver the service. Therefore we will ensure all staff dealing with anti-social behaviour are well trained and have a clear understanding of our policy.

20. Complaints and Compliments

If you are happy with the service you have received from the anti-social behaviour team and would like to pass this onto the staff involved, you can either contact the team directly or you can contact customer services:

- By telephone on 0800 408 2000
- By email at customer.services@gloscityhomes.co.uk
- Fax: 01452 833101

Or you can write to us at:

Gloucester City Homes
Railway House
Bruton Way
Gloucester
GL1 1DG

Complaints will be dealt with in accordance with our Complaints Procedure, if you are unhappy with the service that you have received from our anti-social behaviour team you can either contact the team directly or you can contact customer services.

21. Reviewing the ASB Policy

This policy will be reviewed annually to ensure that any changes in government legislation and best practise are included. From time to time, the policy will be updated before the review is due to accommodate changes in government legislation.

We are committed to continuous improvement in this area.

22. Relevant Legislation

GCH signed a management agreement in December 2005 to carry out the landlord functions on behalf of Gloucester City Council. As part of this GCH have taken on the responsibility of dealing with anti-social behaviour, therefore our staff are required to have an understanding of legislation relevant to the tasks they are performing in relation to anti-social behaviour.

Examples of legislation that GCH adhere to and that staff need to be aware of:

Housing and Regeneration Act 2008

The Housing and Regeneration Act was updated in 2008. It provides a sanction on perpetrators of nuisance and anti-social behaviour whether they are tenants or other people who are affecting those lawfully in the area of the housing authority.

Under this Act eviction for harassment and anti-social behaviour can be sought under two different grounds in schedule 2 of the 1985 Act and Ground 1, this covers the breaches of the tenancy agreement and Ground 2 is for nuisance and annoyance and/or certain criminal convictions, particularly if those convictions are committed within their homes or the locality of their homes.

The Anti-social Behaviour Act 2003

Under the Anti-social Behaviour Act there are several provisions for landlords to take enforcement action against perpetrators of anti-social behaviour.

Section 12

A requirement for social landlords to publish their policies and procedures on how they deal with anti-social behaviour.

Housing Injunctions

This provision was brought in to the Act in 2004, to enable landlords to apply to the Court for housing injunctions to prevent behaviour capable of causing nuisance and annoyance that indirectly or directly affects their housing management functions. They also enabled landlords to apply for a power of arrest to be attached to the injunction order where there has been violence or threats of violence.

Sections 14 and 15

Under sections 14 and 15 of the Anti-Social Behaviour Act if a tenant behaves in an anti-social manner or allows a member of their household or visitor to do so, a social landlord can apply to the Court for a demotion order. This ends the existing tenancy and replaces it with a less secure demoted tenancy. This removes the tenants Right to Buy options and their security of tenure for a least 12 months. If at the end of the 12 months, the landlord is satisfied that the behaviour has improved the tenancy will revert back to a secure tenancy.

The Crime and Disorder Act 1998

The Crime and Disorder Act 1998 was introduced with the aim of improving Community Safety and the Youth Justice System. It places a duty on local authorities and the police to work together with partner agencies to deliver a Community Safety Strategy to tackle crime and disorder.

Section 17 of the Act places a duty on each authority to consider the crime and disorder implications of all their other activities, and to do all they reasonably can to prevent crime and disorder.

Environmental Protection Act 1990 and Statutory Nuisance Act 1993

Under these Acts if the local authorities Environmental Health Team consider that noise amounts to a statutory noise nuisance they can serve an abatement notice. If the nuisance continues the perpetrator can be prosecuted in the Magistrates Court and if convicted receive a fine of up to £5000, Environmental Health Officers also have the powers to seize equipment.

Human Rights Act 1998

Under this Act anyone who is suffering from abuse of one of the human rights will be entitled to make a complaint to the court of law in the United Kingdom to seek compensation.

Race Relations Amendment Act 2000

Under this Act there is a general duty to:

- Eliminate unlawful racial discrimination
- Promote equal opportunities
- Promote good race relations between people of different racial groups

Data Protection Act

The Data Protection Act places a responsibility on GCH to:

- Obtain and process data fairly and lawfully
- Keep accurate and up to date data
- Not hold information longer than necessary
- Ensure data is subject to appropriate security measures.

23. Relevant Information

The Anti-social Behaviour Hate Crime and Incident Policy does not work in isolation, other policies support and influence this policy. For example:

Equality and Diversity Policy

GCH has a commitment to eliminating unlawful discrimination and promoting equality of opportunity for all our tenants, leaseholders, residents and both current and future employees. We are working towards equal opportunities and diversity in both the way we provide services for our tenants and leaseholders; and in the way we recruit and employ our staff.

We will ensure that our services are accessible to all and where our customers have any particular requirements we will do all we can to help.

Lettings

If we evict a tenant from one of our properties for anti-social behaviour we will try to sensitively re-let the property by liaising with Gloucester City Council's allocation team.

We cannot guarantee that the new tenant would not cause anti-social behaviour, however when allocating the property we will consider the surrounding community.

Homelessness

When GCH are investigating alleged anti-social behaviour and either the complainant or the perpetrator makes a homeless application, we will share all the information relating to the anti-social behaviour with the Homeless Team so they can make a decision on someone's eligibility for assistance under the Homeless Legislation.

Introductory Tenancies

GCH staff will clearly explain the terms of the tenancy agreement to all new tenants when they sign up for their tenancy. We will explain the consequences of anti-social behaviour should they cause a nuisance.

All new tenants will be given an introductory tenancy and will receive a post-let visit 4 weeks after their tenancy start date. They will also receive minimum 3 visits during the first 12 months of their tenancy.

If they perpetrate any anti-social behaviour during this period their tenancy can be ended in line with our Introductory Tenancy Policy.

Recharge Policy

When GCH is investigating alleged anti-social behaviour will recharge the tenant for the following under the terms of this policy:

- Where works are required due to a resident, their family or their friends deliberately or accidentally damaging any fixtures or fittings in their home or any communal fixtures or fittings owned by GCH e.g. walls, footpaths, seats, lights, which are provided by GCH and are the responsibility of the resident to replace or repair if lost and /or damaged we will recharge for the cost of completing these works.
- There is a cost associated with cleaning repairing a filthy or verminous property during the course of a tenancy we will recharge the tenant. (These terms are defined under the Public Health Act 1936 (Section 83 as amended by section 35 of the Public Health Act 1961).
- Vandalism to Gloucester City Homes managed properties – Where damage has occurred and the Court has prosecuted the culprit. Or where the individual has admitted the damage.
- Clearance of bulky items from housing land, which result in a recharge to Gloucester City Homes.