

Anti-social behaviour





Introduction

Worthing Homes know that pleasant, safe communities and neighbourhoods free from anti-social behaviour are good places to live. We treat reports of anti-social behaviour very seriously and are committed to doing all we reasonably can to deal with and prevent anti-social behaviour.



We will work with residents and other local agencies to provide the best possible environment for you to live in.

We encourage and help those experiencing anti-social behaviour to try to resolve matters themselves, wherever possible.

What is anti-social behaviour?

The Crime and Disorder Act 1998 formally defines anti-social behaviour also known as ASB in terms of behaviour that:

'caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as [the defendant].'

A list of examples may include:

- loud playing of hi-fi, radio, TV or musical instruments
- constant slamming of doors or dogs barking
- using or threatening to use premises for immoral or illegal purposes
- violence or threats of violence, or violence against property
- domestic violence
- aggressive and threatening language and behaviour
- intimidation or harassment
- racial, homophobic or disability related harassment
- fouling of public areas
- graffiti
- fly-tipping
- vandalism

What is harassment?

Harassment is the interference with a person's comfort or safety. It can be physical or verbal abuse or intimidation, it includes attacks on and damage to property.

A racist incident is any incident which is perceived to be racist by the victim or any other person on the grounds of a person's ethnic origin, race, colour or religion.

Sexual harassment is interference with a person's comfort or safety on grounds of their gender or sexual orientation.

We take reports of harassment very seriously and have procedures to deal with reports promptly, effectively and consistently.

We also have strong partnerships with other agencies for investigating and tackling complaints of harassment.

What is domestic violence?

Domestic Violence is 'physical, psychological, sexual or financial violence that takes place within an intimate or family-type relationship and forms a pattern of coercive and controlling behaviour.'

Essentially, if a person's behaviour at home makes you or your children feel afraid that is domestic violence.

It can be difficult to ask for help and victims may often suffer for a long time before they do so.

We recognise that domestic violence is a serious issue in society and have procedures to deal with reports promptly, effectively and consistently.

We will ensure that victims can raise the issue and be confident that it will be dealt with sympathetically and seriously. We will assist anyone who approaches us by providing information and where requested to, liaise with the relevant specialist agencies to ensure that those experiencing domestic violence have access to appropriate advice and support.



Give respect Get respect

Respect standard

In signing up to the Respect Standard for Housing Management we are committed to doing all we reasonably can to provide excellent, accessible and effective services to deal with anti-social behaviour and create a society of respect. The six core commitments are:

- 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;
- support to tackle the cause of anti-social behaviour.

For more information go to: **www.respect.gov.uk**.

You have a responsibility to respect your neighbours and the local environment and be aware of and keep to the conditions of your tenancy. You are also responsible for the behaviour of your family, visitors and pets.



Our commitment

We aim to provide an accessible and effective service to encourage residents to report incidents and ensure that all complaints of anti-social behaviour are dealt with promptly and effectively. We will:

- take firm action against people causing anti-social behaviour and take legal action if necessary
- encourage and help residents to sort out their differences themselves
- be proactive by working in partnership with police and other agencies to prevent cases of anti-social behaviour
- support complainants and witnesses as far as possible, ensuring confidentiality at all times
- share information in line with good practice and any other agreements
- protect vulnerable people and tackle inequality and discrimination
- promote and encourage the use of the local mediation service
- offer support to young and vulnerable people who are responsible for anti-social behaviour to help them to stop behaving this way
- train staff on Worthing Homes policy and procedure, best practice, the law and any other associated responsibilities

We will also comply with the duties and obligations placed on us by existing legislation, and any subsequent amendments to the acts such as:

- The Anti-Social Behaviour Act 2003
- The Crime and Disorder Act 1998
- The Childrens Act 1989
- Disability Discrimination Act 1995
- Homelessness Act 2002
- Race Relations Act 1976
- Human Rights Act 1998
- Housing Act 1985 and 1996

What we expect from you

We expect tenants and leaseholders to treat other people with respect and to keep to your conditions of tenancy or lease. You are responsible for your own behaviour, including the behaviour of people and pets that live with you or visit you.

We expect you to behave in a way that does not cause nuisance or annoyance to neighbours, is not likely to cause harassment, alarm or distress in the community or interfere in any way with our housing management functions.

Worthing and Adur Anti-Social Behaviour Partnership

Worthing Homes have signed up to this multi agency partnership and will work together with other agencies to create safer communities. We can make referrals to the Anti-Social Behaviour Caseworker who will work with appropriate agencies to tackle anti-social behaviour effectively. This may include action against owner occupiers or others to protect our tenants. The caseworker will carry out the following actions:



- call a meeting/ problem solving group
- collate reports of anti-social behaviour and gather evidence
- agree suggested action, such as an Acceptable Behaviour Contract (ABC)
- identify the lead agency
- identify who can be a witness
- ensure that the case is progressed through the appropriate actions agreed

What you can do if you experience ASB

Talk to the person causing the problem, this will often be a neighbour. A friendly, reasonable approach to discuss the problem is usually the best approach. It is more likely to be successful than putting a note through the door, which can seem unfriendly. Remember, people are often unaware that they or someone in their household are causing you a nuisance.

Before you speak to the person, here are some helpful tips to help you prepare:

- think about what you are going to say before approaching the person
- have a clear and simple message in mind; don't stray from the main issue
- be clear about what the problem is and how it affects you
- try talking to a friend, local advice agency such as the Citizens Advice Bureau or your Neighbourhood Housing Officer/ Scheme Manager or Sales and Leasehold Adviser



Tips for when you speak to the person:

- try to stay calm and friendly. Being aggressive is not going to help
- when explaining what the problem is, tell them how you feel and how it affects you
- listen to the person, they too may have a view, and better results can be achieved if people listen as well as talk – try not to interrupt when they are talking
- avoid bringing up any incidents that may have happened in the past, especially if they are not relevant to the present dispute. Try to think how you want things to change for the future
- **if the person is aggressive or unreasonable – leave the discussion**
- **if you think you are in danger or the person threatens you with violence, contact the Police and tell us**
- if the Police are involved, always ask them for a crime number – this is important if further investigation is necessary

In an emergency call 999.

What if talking to the person makes no difference?

There are a number of things to help resolve the problem. These are the steps you can take:

- keep a diary of what the problem is, when it happened, what happened, how long it lasted and how it affected you. Keeping a diary will help if evidence of the problem is needed at a later stage to take formal action. Fill in the diary as soon as possible while the incident is still fresh in your mind. Do it on the same day if you can.
- consider mediation
- if the problem is noise, you can ask for advice from Environmental Services at your local council
- seek advice from a Solicitor – they may advise sending a letter to your neighbour, or applying for an injunction (a Court Order ordering your neighbour to behave properly)
- tell your Neighbourhood Housing Officer/ Scheme Manager or Sales and Leasehold Adviser

You can also take your own action if you do not want to involve Worthing Homes. This can involve your own solicitors, Environmental Services at your local council or other agencies.



Mediation

Mediation is an opportunity to resolve the differences between people. The purpose is to encourage people to talk over their problems and difficulties in an open and neutral setting with the help of an independent person called a mediator.

It is informal but confidential, and enables people to air their grievances. The skilled mediators can build bridges between people, helping them to find a solution to the problem that is acceptable to everyone so they can once again get along peacefully as neighbours. In many cases a simple apology from either or both sides is all that is needed to put the situation right. It encourages people to put forward their own suggestions and ideas. It is less intimidating than legal procedures. Agreements reached in this way last much better than solutions handed down by the courts or an arbitrator.

The service is free, confidential and independent. The mediators are volunteers who have been trained to deal with disputes of different kinds.

Your Neighbourhood Housing Officer/ Scheme Manager or Sales and Leasehold Adviser will contact West Sussex Mediation Service, who will contact both neighbours to discuss the situation and organise either a face to face meeting or act as a go between. It is not necessary to get your neighbours agreement before going to the mediation service. West Sussex Mediation Service will also accept self referrals, please call 01403 258 900.

As the process is confidential, we will not receive any information about discussions that have taken place with the mediator. The mediator will simply tell us if an agreement was reached or not.

If you would like more information or advice about the West Sussex Mediation Service contact your Neighbourhood Housing Officer/ Scheme Manager or Sales and Leasehold Adviser or pick up a leaflet from our offices.

How Worthing Homes will deal with reports of anti-social behaviour

How to report anti-social behaviour

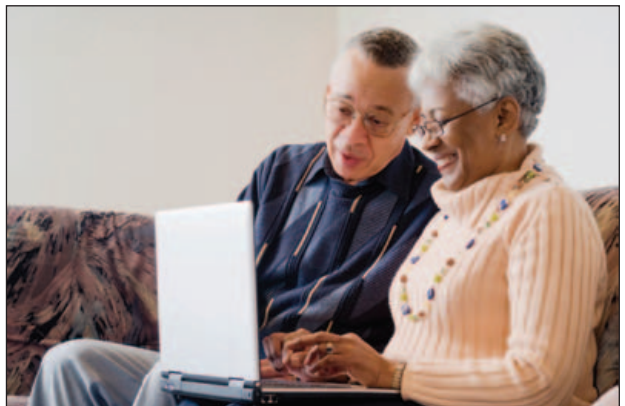
Reports of anti-social behaviour can be made to your Neighbourhood Housing Officer/ Scheme Manager or Sales and Leasehold Adviser by:

- telephone
- letter
- email
- visiting the office

What happens next?

Reports of anti-social behaviour are taken seriously. We will assume that the complaint is valid and deal with the matter in a sympathetic and supportive way. Your Neighbourhood Housing Officer/ Supported Living Co-ordinator or Sales and Leasehold Adviser will:

- discuss your problems with you impartially and in confidence
- ask what has happened. It will help if you have details of dates and times the incidents occurred
- ask what you think may have caused the problem
- ask what action you have taken so far
- ask whether you have reported the matter with the police or any other agency
- not disclose your identity to the person causing the problem unless you agree we should



What solutions are there?

Once your Neighbourhood Housing Officer/ Supported Living Co-ordinator or Sales and Leasehold Adviser has taken all the details from you they will agree an action plan with you to resolve the problem.

Depending on what happened, the action could be:

- you approaching the person causing the problem (if suitable)
- mediation
- your Neighbourhood Housing Officer/ Supported Living Co-ordinator or Sales and Leasehold Adviser visiting or writing to the person causing the problem
- contacting the local council if there is a noise problem
- collecting more evidence, including evidence from other witnesses
- involving the Worthing and Adur Anti-Social Behaviour Partnership or any other relevant agency
- service of a notice of seeking possession
- legal proceedings

If the anti-social behaviour involves criminal acts, you will be advised to contact the Police so that they are aware of the situation and can take any necessary action.

We recognise that anti-social behaviour can be difficult to resolve and may take time. We will work with you and other agencies and offer you support to take action against those responsible. Together we can tackle the problems.

What legal solutions are there?

We have the powers to take legal action against tenants and members of their household, if there is strong supporting evidence. If we are to successfully take action we will need your help in providing this evidence.

Action we can take could be:

- possession proceedings (this is legal action against a tenant that could result in them losing their home if ordered by the Court)
- injunction (an application to the court to stop someone causing anti-social behaviour)
- demoted tenancy (an application to the court to have an assured tenancy demoted or reduced to an assured shorthold tenancy, which offers less security and rights. If a tenant does not comply with the terms of the demotion order they could lose their home)
- parenting order (an application to the court to set out terms that the parent will do to improve the behaviour of their child or children if they fail to comply with the terms of a parenting contract)
- working in partnership with the Worthing and Adur Anti-Social Behaviour Partnership we can apply for an Anti-Social Behaviour Order (ASBO)

What legal solutions are there for Leaseholders?

Leaseholders and shared owners are bound by the terms of their lease. The Sales and Leasehold Adviser will investigate reports of anti-social behaviour caused by leaseholders or shared home owners. In serious cases we may:

- apply for an injunction
- serve a forfeiture notice and make an application to the court to end the lease

What solutions are there for owner-occupiers

We will work in partnership with the Worthing and Adur Anti-Social Behaviour Partnership to resolve the problem and take appropriate action.

What will we do to support you?

As well as keeping you informed and maintaining contact with you, your Neighbourhood Housing Officer/ Supported Living Co-ordinator or Sales and Leasehold Adviser will discuss with you what type of support you feel you will need and will refer you to other support agencies as necessary.

If court action is necessary we will help to support you through this and provide ongoing support after the hearing for as long as you feel necessary or as long as reasonably practical.

Support we will provide could be:

- referring you to other support agencies
- referring you to a floating support provider
- providing a telephone support service
- arranging a 24 hour alarm system
- arranging for extra security in your home
- explaining the court procedure and arrange a visit to the court in advance of a hearing
- arranging transport to court and someone to greet you
- arranging for police presence in the court if appropriate
- consider publicising successes (which can be effective in strengthening the community)



How long will it take to deal with the problem?

Some cases may be easily resolved by talking to the person who is causing the problem or by us sending a warning letter. However, we may not be able to resolve every dispute. You may have to be willing to compromise and accept differences.

Investigating complaints and collecting evidence can sometimes take weeks. If we decide to take legal action, it can be 2-3 months before a hearing is listed by the Court. The outcome may not always be what you may have expected.

Sometimes young children cause many of the problems. This may be due to poor parenting or families that might not be coping very well. We may need to work with Social Services and other agencies before it is appropriate to start legal action.

What Worthing Homes is doing to prevent anti-social behaviour

We have a range of initiatives which are essential in preventing anti-social behaviour these include:

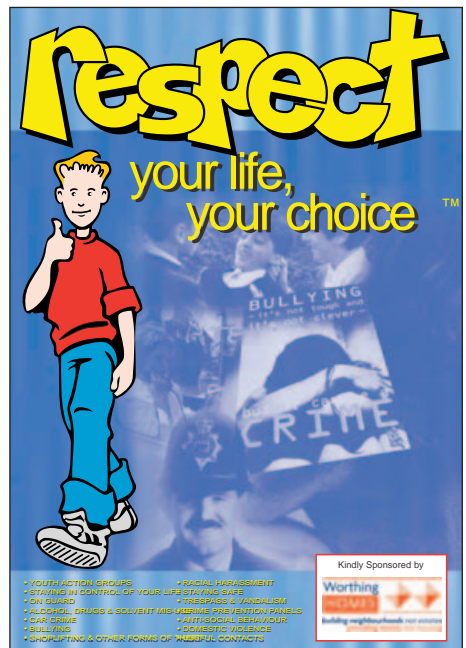
- mediation
- acceptable behaviour contracts (ABC)
- parenting contracts
- demotion of tenancies
- starter tenancies
- floating support
- working closely with the police, local authority and other relevant agencies
- partner to the Worthing and Adur Anti-social Behaviour Project
- working with planning departments to ensure crime prevention is key when designing new homes
- ensuring that tenancy obligations relating to anti-social behaviour are clearly explained at 'sign up' interview
- removing graffiti promptly
- a Neighbourhood Warden

We will also undertake projects and work in partnership with other agencies to provide activities for the young and the wider community which will help to prevent anti-social behaviour, some examples of our work are:

- community house – working in partnership with Spurgeons to provide information, advice, drop in sessions and activities for the young and the wider community to help create a stronger, sustainable environment where people can feel valued and safe
- football in the community – working in partnership with Brighton and Hove Albion and other Registered Social Landlords to provide football sessions in the community for young people
- environmental improvements – consulting with the local residents to change the use of open spaces to provide facilities such as a multi-sport area, 5 a side football, and play area
- adhoc projects – working with residents who have an interest in improving the environment surrounding them. We will help and support them to achieve their aims and sometime may provide a small grant to kick start the project e.g. 'park life' - two residents successfully obtained funding to provide a community garden, benches and play equipment in the open space near their homes

We have also sponsored the Children's Safety Education Foundation to provide a local school with an innovative educational programme which cover these topics:

- bullying
- first aid
- road safety
- drug, alcohol and solvent mis-use
- vandalism
- fire safety
- car crime
- anti-social behaviour



Communication

Your Neighbourhood Housing Officer/ Supported Living Co-ordinator or Sales and Leasehold Adviser will keep you informed at all stages and will regularly review your case and decide with you if any further action is to be taken. It is important that you let your Neighbourhood Housing Officer/ Supported Living Co-ordinator or Sales and Leasehold Adviser know as soon as you can of any new incidents or of anything you think might be relevant to the case.



Confidentiality, data protection and information exchange

Any information given to us will be treated in confidence. It will not be passed on to the person causing the anti-social behaviour without permission.

We will comply fully with the requirements of any new or existing relevant legislation such as the Data Protection Act 1998.



Information with other agencies that have signed up to the Worthing and Adur Information Sharing Protocol may be exchanged where it would assist in:

- preventing and detecting crime
- preventing disorder
- protecting the rights and freedom of others
- protecting public safety

Data collection

We will use data collected to:

- identify key priorities and issues of concern;
- help understand the nature and location of problems and identify hot spots;
- evaluate the effectiveness of particular initiatives;
- distinguish between different types of behaviour

Closing your case

The Neighbourhood Housing Officer/ Supported Living Co-ordinator or Sales and Leasehold Adviser will carry out regular reviews of 'open' cases. When all agreed action has been taken and there have been no further incidents within a reasonable period (about 6-8 weeks) we will consider the case closed as far as monitoring purposes. Before closing your case your Neighbourhood Housing Officer/ Supported Living Co-ordinator or Sales and Leasehold Adviser will contact you to make sure that there have not been further incidents and that all possible action has been considered.

We will write to you when your case has been closed. Your case will be closed when:

- the problem has been resolved
- a reasonable period of time has passed since the last report
- no further action is possible or necessary

If the problem happens again after your case has been closed we can 'reopen' the case.

In some cases there may never be an entirely satisfactory solution, but at least we will have tried to help you to solve the problem.

Customer satisfaction and feedback

When advising you that your case has been closed we will also send you a customer satisfaction form which we will ask you to complete and return. Please let us know about your experience, your comments and views can continue to improve our service.

What can you do if you are not satisfied?

We aim to provide an excellent service at all times, but recognise that on occasions we may fail to do so. You can make a complaint by using our Customer Feedback and Complaints Procedure. You can make a complaint in person, by telephone or in writing.



Who else can help?

Sussex Police	contact.centre@sussex.pnn.police.uk	0845 6070 999
Crimestoppers	www.crimestoppers-uk.org	0800 555 111
Environmental Services Section / Dog Warden / Community Safety Team		
Worthing Borough Council	enquiries@worthing.gov.uk	01903 239 999
Adur District Council	info@adur.gov.uk	01273 263 000
Brighton & Hove City Council	info@brighton-hove.gov.uk	01273 290 000
Arun District Council	info@arun.gov.uk	01903 737 500
Worthing Anti-Social Behaviour Actionline	www.asbaction@worthing.gov.uk or text: 0791 7597 892	01903 221 430
Adur Anti-Social Behaviour direct reporting line		01273 263 356
Citizens Advice Bureau		
Worthing	contact@worthingcab.org	01903 232 116
Lancing and Sompting		01903 755 585
Shoreham and Southwick		01273 453 756
Brighton and Hove		0845 120 3710
Littlehampton and district	enquiries@littlehampton-cab.org.uk	01903 724 010
West Sussex Mediation Service		01403 258 900
National Domestic Violence Hotline		08082 000 247
Victim Supportline		0845 3030 900
Social Services		01903 839 100
West Sussex Fire and Rescue Services		01243 786 211
Street Lights, West Sussex County Council		01243 642 105
RSPCA		0870 5555 999
Housing Ombudsman		08457 125 973

Glossary of terms

Acceptable behaviour contract – a written agreement between the individual, Worthing Homes, the Police and other appropriate agencies. This is not a legally binding contract but the individual will sign to agree to stop specific behaviour that may have been causing disturbances.

Parenting contract – a written agreement between the parents, Worthing Homes and other appropriate agencies such as the Youth Offending Team. This is not a legally binding contract, it will set out what the parent and agencies will do to play their part in improving the behaviour of their child or children.

Parenting order - If parents fail to keep to the terms of a parenting contract (a voluntary agreement), parenting orders can be used to make the terms of the contract compulsory.

Mediation – a way of dealing with disputes that aims to help the individuals reach an agreement that they feel comfortable with.

Notice of Seeking Possession – a notice that is generally served before we apply to the court for a possession order. No notice is required for serious cases of anti-social behaviour. In other cases we must give 28 days notice.

Demotion order (demotion of tenancy) – an application to the Court to have an assured tenancy reduced to an assured shorthold tenancy which offers less security and rights. If the tenant does not comply with the terms of the demoted tenancy then proceedings can be commenced to terminate the tenancy.

Possession order – an application to the court can be made following service of a notice of seeking possession for possession of the property if we have enough evidence. The judge can make an order which will set a period of time when the tenant must not repeat their behaviour or break other conditions set out by the Court or make an order for immediate possession, ordering the tenant to leave their home, usually within no more than 28 days.

Anti-social behaviour injunction – an application to the Court to stop an individual causing anti-social behaviour by ordering them to either do something specific or to stop doing something. In some cases an exclusion zone can be included around a particular area and where there is a significant risk of harm to one of the victims or there has been the use of, or threatened use of violence then a power of arrest can be attached to the injunction.

Anti-social behaviour order – when all other preventative measures have failed and anti-social behaviour still exists an application can be made to the Court to forbid defined behaviour of an individual. The order can also include an exclusion zone around a particular area. Any breach could result in the individual being given a custodial sentence or a fine, or both.



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