

## EastendHomes

### ANTI-SOCIAL BEHAVIOUR AND HARASSMENT POLICY

#### 1. STATEMENT OF INTENT

EastendHomes (EeH) is committed to ensuring that all tenants and leaseholders and other residents enjoy their right to peace, quiet and security in their homes. EeH will take firm and prompt action in dealing with disruptive residents and any other persons causing a nuisance or harassment on estates or in individual dwellings. EeH recognises that anti-social behaviour (ASB) and harassment has a negative impact on people and neighbourhoods. EeH will take an efficient and consistent approach in dealing with all incidents of ASB and harassment.

- 1.2 EeH demonstrates its commitment to ASB through the allocation of dedicated staff resources and on-going training to support effective action.

In tackling ASB and harassment, EeH will develop procedures, which will then allow EeH to:

- (i) respond to all reported incidents;
- (ii) undertake a thorough investigation of incidents of harassment
- (iii) record details of incidents and outcomes of investigations.

- 1.3 Effective action on ASB is supported by senior management and includes a regular review of current trends and performance and required resources.

- 1.4 EeH will promote its policies, procedures and performance to its residents to encourage community confidence in sharing ASB information. This will include the use of a number of publicity methods to highlight services available and successes achieved.

- 1.5 EeH will regularly review its policies, procedures and performance with residents and other partners to ensure that resources are being targeted in line with resident priorities.

- 1.6 EeH will take whatever action is reasonable and proportionate to resolve ASB. This will include action to prevent anti-social behaviour, action to intervene and divert ASB, action to support victims and perpetrators and enforcement action.

- 1.7 EeH will work with local statutory and voluntary agencies, including the Police; Probation Service; Health Authority; Environmental Health and

Social Services, to develop a co-ordinated approach to problems of ASB on its estates. EeH will also work actively with the Council, other landlords, local agencies and the police to eliminate all forms of harassment from within its area of operation. This will include assisting the local authority in ASB case reviews when the 'community trigger' is used in a cases involving EeH.

## 2. DETAIL

### 2.1 What is ASB?

#### 2.1.1 Legislation defines ASB as:

- behaviour which is likely to cause harassment, alarm or distress to one or more persons not of the same household. [Crime and Disorder Act 1998]
- conduct which is capable of causing nuisance or annoyance to any person and which directly or indirectly relates to, or affects the housing management functions of a relevant landlord. [Anti-Social Behaviour Act 2003]
- Conduct capable of causing a nuisance or annoyance. This applies equally to tenants, members of their household and their visitors. [Housing Act 1996].

#### 2.1.2 EeH recognises our responsibility to our residents and to the protection of our properties whenever they are threatened by ASB.

#### 2.1.3 'EeH will take action, where appropriate and available, when the behaviour of a tenant of another landlord, an owner occupier or a member of the public from somewhere else causes a problem to our residents or if our residents' behaviour adversely affects others.'

### 2.2 What is Harassment?

#### 2.2.1 Harassment is a hate crime and can be motivated by a range of misconceived prejudices including race, gender, ageism, long-term illness and sexual orientation amongst others. Harassment is usually the most insidious type of ASB, capable of causing the greatest community unrest if not tackled effectively.

#### 2.2.2 EeH recognises that hate crime and incidents cause alarm and distress to members of the community and EastendHomes has adopted the following definitions:

**"Hate Crime"** is any criminal offence where anyone believes the victim has been targeted because of their race/ethnicity, religion/belief, gender/gender identity, disability, age, sexual orientation or any other actual or perceived difference.

**“Hate incidents”** are incidents that do not constitute a criminal offence but cause alarm, distress or harassment where anyone believes the victim has been targeted because of their race/ethnicity, religion/belief, gender/gender identity, disability, age, sexual orientation or any other actual or perceived difference.

Incidents of harassment may include threats or assaults to an individual, damage to property, vandalism, stalking, cyber-bullying or graffiti. Harassment may take place within the vicinity of the individual's home or within the wider local area.

2.3 What EeH will do to support effective resolution of ASB and Harassment issues.

2.3.1 EeH will respond to direct complaints of ASB and harassment and to referrals from local agencies regarding complaints of harassment relating to its residents. EeH will also respond to complaints of ASB and harassment from members of the local community. Incidents against members of staff will be dealt with in the same way as when residents are involved and if necessary, the Abusive Persons Procedure will be invoked.

2.3.2 EeH will :

- Open a case whenever a specific incident of ASB is reported.
- Assign an investigating officer
- Assign priority (with timescales) to the case based on risk
- Interview the complainant to record case details and agree case progression making it clear what the likely outcome of the case is from the outset
- Progress proportionate action against the perpetrator where relevant and available
- Review potential action taken at, at least one ASB panel.
- Where appropriate, engage with partner agencies to progress case resolution e.g. the police, surveillance etc.
- Consider at an early stage all options for amicable resolution including Acceptable Behaviour Contracts (ABCs) and mediation
- Keep in weekly contact with complainants
- Use eviction as a tool of last resort
- Support vulnerable victims and perpetrators
- Agree case closure with the complainant
- Assess complainant satisfaction with case handling and outcome.
- Where dissatisfaction is highlighted, contact the complainant to see if there is something EeH could have done better

2.4 **Priority One** cases are cases where there is evidence of danger to a victim or household, a risk of serious assault, substantial, persistent or unreasonable harassment where the victim is at risk of serious mental or physical harm. The investigating officer will make contact within one

working day and have completed a detailed assessment of the case and if required carried out an interview within two working days. If the police are leading on the investigation, then EeH will liaise with the partnership unit to take civil remedies where required. Where an individual reports an incident of harassment, and either the victim of the reported incident or the perpetrator is a resident of EeH, the complainant will be interviewed by an officer of EeH. Where there is evidence of danger to a victim or household, a risk of serious assault, substantial, persistent or unreasonable harassment where the victim is at risk of serious mental or physical harm, the investigating officer will make contact within one working day and will have completed a detailed and have carried out an interview within two working days. If the police are leading on the investigation, then EeH will liaise with Tower Hamlets Enforcement Officers (THEOs) to take civil remedies where required.

- 2.4.1 EeH will ensure that any necessary repair work resulting from an incident of harassment is ordered within the appropriate repair timescales. This will include the removal of racist or other discriminatory graffiti. In the case of incidents which occur out of office hours, tenants will be advised to use EeH Emergency Repairs procedure. Wherever possible, the perpetrator will be recharged for any damage caused.
- 2.4.2 Where there is a security risk to the tenant or their family, they will be offered additional security to doors and windows. Where necessary to ensure the safety of the tenant, security work will be carried out immediately.
- 2.4.3 EeH will offer support to the victim by regular contact and by monitoring for any further incidents of harassment. With the victim's permission, EeH will also contact the police and ask them to contact the victim. EeH will offer the victim information about local voluntary organisations, who could offer additional support i.e. victim support.
- 2.4.4 Where the victim is a tenant or family member and feels unable to remain they will be advised to approach a local authority Homeless Persons Unit for a statutory assessment.
- 2.4.5 In exceptional circumstances where there is no immediate threat, EeH will refer cases to the Tower Hamlets Housing Management Panel to consider offering the victim an urgent management transfer. EeH will provide every advice and assistance to our residents.
- 2.4.6 Generally, any proposed action by EeH for dealing with the perpetrator(s) will be discussed with the victim in the first instance. If, however, because of a particular set of circumstances, it would be inappropriate to discuss any aspect of the action plan with the victim, EeH may decide by exception to progress the action plan without the prior knowledge of the victim. This is provided, at all times, that the victim's safety and welfare are not prejudiced.

- 2.4.7 EeH will respect a victim's request for anonymity and confidentiality. However, there will be instances where any action taken will inevitably identify the complainant and this will be discussed with the victim at the outset (for example, court action).
- 2.4.8 Where the perpetrator is identified, consideration will be given to appropriate action, taking account of whether or not he or she is a resident of EeH, the nature of the incident, and the options available. Such action might include legal proceedings to obtain a civil injunction, the signing of an Acceptable Behaviour Contract (ABC), or the repossession of the home of the perpetrator. Every effort will be made to interview the perpetrator, who will be informed in writing of the action proposed.
- 2.5 **Priority Two** cases are routine incidents that do not have a serious immediate impact on the victim but which require investigation and action. For priority two cases, the investigating officer will arrange an interview within five working days and complete the interview within ten working days.
- 2.6 **Monitoring and Review**
- 2.6.1 Monitoring of incidents and responses will be undertaken at the quarterly Internal Performance Review – ASB meeting (IPR – ASB) chaired by a Head of Service. EeH's Hate Crime Champion, who is currently the ASB Manager, has specific responsibility for ensuring that all cases of harassment are dealt with promptly, thoroughly and fairly.
- 2.6.2 EeH will monitor and review at each quarterly IPR-ASB meeting:-
- (i) the number of incidents of harassment
  - (ii) the nature of incidents of harassment
  - (iii) the geographical location of incidents
  - (iv) the time, day & frequency of incidents
  - (v) the diversity profile of the victims and perpetrators of harassment,
  - (vi) the courses of action taken in responding to victims and perpetrators of harassment
- 2.6.3 EeH will complete a bi-annual review of ASB and harassment performance, trends and costs, and will include an annual summary of ASB and harassment performance in our annual report to residents. EeH will use its performance analysis to promote effective case action and to drive down cost inefficiencies.
- 2.6.3 EeH will monitor case types to identify whether targeted multi-agency work or target hardening is required to deal with hotspots or pervasive social issues.

- 2.6.4 EeH will maintain a diversity profile of victims and perpetrators to assess the impact of our policies on our diverse community.
- 2.6.5 EeH will benchmark its costs and performance and seek to establish best practice to deliver continuous improvement.
- 2.7 EeH will sign up to the Chartered Institute of Housing's Respect: ASB Charter for Housing and pledge to Tower Hamlets No Place for Hate Campaign.
- 2.8 This policy will be reviewed every 3 years or sooner if best practice, regulation or statute requires it.

Approved by Service Review Committee

Date: 15 March 2016