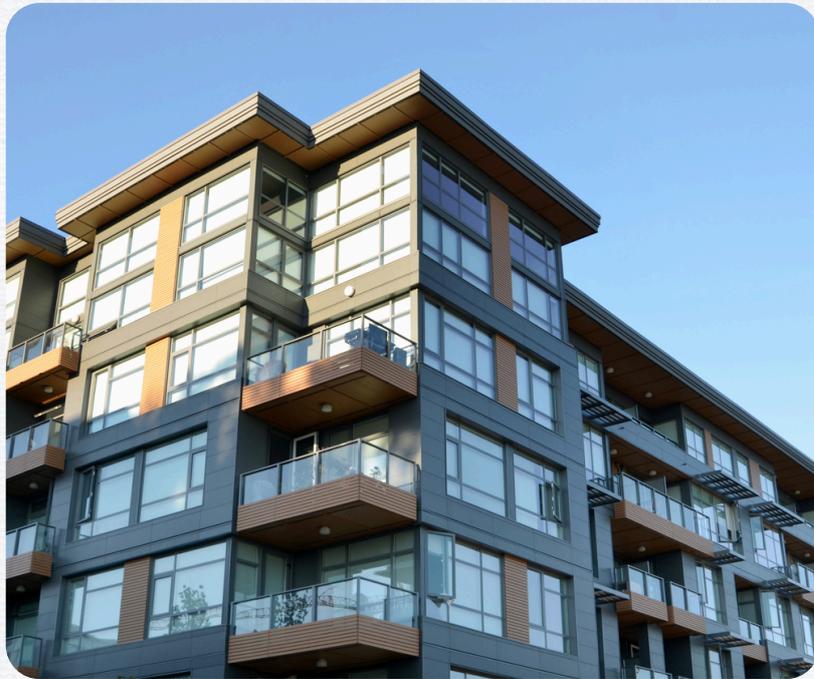




Women's  
Pioneer Housing  
Est 1920

# ANTI-SOCIAL BEHAVIOUR



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TENANT INFORMATION GUIDE

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We want everyone to feel safe in their home and recognise that your safety may be affected by anti-social behaviour from a neighbour or their visitor. Sometimes the incident may only last for a short time and cause limited nuisance that is not reported, or it may continue for a long period, affecting your safety and the enjoyment of your home causing ASB.

This guide sets out what we will do if you report ASB, the agencies that may need to get involved and how you can prevent ASB.



## Preventing ASB

We expect all residents to ensure that their actions and the actions of their visitors or household do not cause ASB.

We have a Good Neighbour guide at Women's Pioneer, and we encourage you to read it. This has been developed with other residents and sets out our expectations of how you should manage your tenancy, including the use of communal areas, any gardens and bin stores.

Please remember that the communal areas are for everyone to enjoy. You may have different standards or expectations to your neighbour. We try to ensure that everyone understands and meets the standards set out in our policies, but on some occasions, some members of a household may have different needs (e.g. older residents with poor sight or limited mobility, young children, people with a mental or physical health concern, someone with a serious allergy). As part of our regulatory requirements, we are expected to meet diverse needs. We do this by carefully considering individual needs and, where we consider someone may be vulnerable or has different needs, we may adapt some of the standard approaches to provide additional support.



## What is ASB?

ASB is considered any act that has caused, or is likely to cause, harassment alarm or distress.

It can also be any act that is capable of causing housing-related nuisance or annoyance.

The main types of ASB we see are:

- Vandalism
- Criminal activity such as theft in the building/communal areas
- Violence or threatened violence
- Taking drugs or drinking alcohol in areas of the building that you share
- Drug dealing inside our building or grounds.
- Drunken or disorderly behaviour in or around any WPH property including our offices.
- Frequent, very loud noise which is not caused by reasonable everyday activity
- Out of control animals
- Graffiti
- Abusing other residents, our staff or contractors
- Intimidating behaviour including written, threatening behaviour.
- Discrimination or harassment
- Hate crime incidents based on race, sexual orientation, belief, gender, disability
- Misuse of common parts or misuse of your home.

## What is not considered ASB

- A crying baby
- Strong cooking smells
- Children playing
- Normal domestic noise like doors banging, going up and down stairs, or washing machines and vacuum cleaners etc, in reasonable hours. (Please note that if your neighbour's work or similar results in them using their home in less sociable hours, this may be considered unavoidable).
- Personal dislikes/arguments on non-housing matters.
- Family disputes
- One-off parties such as BBQs, birthday or Christmas parties
- Minor personal differences such as dirty looks or disputes between children
- Incidents e.g. missing items, where it cannot be proven.
- ASB that is caused by an unknown person that is not in a WPH building.



The above are not considered to be ASB as there is very little that WPH can do. We would not threaten your neighbour with eviction or send a warning letter as these issues are often about different lifestyles.

One-off incidents may also be accidental, not attributable to your neighbour or not your neighbour's decision. Your neighbour may have a different way of living that may not be compatible with the way you live. In these incidences, our approach will be to encourage mediation. If that does not work, we will only consider behaviour that breaches a tenancy agreement and will work with some statutory partners (where applicable), to resolve any tenancy breaches.

As our main power against a tenant or resident is to remove them from one of our properties, we do not investigate ASB caused by non-residents of WPH that takes place away from our buildings e.g. cyber-crime. We will encourage you to report these incidents to the correct authorities and work with them if they require our assistance, to help resolve your ASB.

## What will WPH do about ASB

There are different types of actions we can take when you report ASB. Our actions will almost always be to stop the ASB happening again. The Police are responsible for acting against a crime that has been committed, and the law aims to punish people who have committed a crime. Our objectives are not to punish anyone but to stop ASB happening and to prevent it re-occurring.

When our customer services team receives a report of ASB, they will start by establishing whether it is an ASB we can resolve. They will do this by asking you for information including the dates and times the ASB happened, who may be causing the ASB, any evidence you have, whether you have reported it to the Police and ask you about the impact it is having on you. You will be sent diary sheets to record ongoing ASB. It is important that we receive this information from you as it will assist us in the future if we decide to take legal action.

Once we receive the diary sheets or similar written information about the ASB, your Housing Officer will want to speak to you by phone, by visiting you or by arranging a meeting at our offices. They will organise an action plan based on what you have told us. This is very likely to include contacting the person causing ASB.

If you do not agree with us contacting your neighbour, we may close the case. This is because your neighbour has the right to defend themselves and so we cannot act if you do not agree to us contacting your neighbour and letting them tell us their side of the ASB. Your case will be put on hold or closed until you let us investigate your report by contacting your neighbour. If you do not provide any evidence of the ASB, and do not let us investigate, we will suspend our investigations until.





## What will WPH do about ASB

We will contact your neighbour or the person causing ASB and let them know there has been a complaint about them. We will not disclose who has complained but it is usually evident, and your neighbour may guess that you have complained. Your neighbour may dispute your complaint and sometimes will have a different view or a reason for their behaviour. We will consider both sides whilst we continue monitoring the ASB.

This work will usually take between 4 – 6 weeks depending on the availability of your neighbour and the level of information we receive.

We will let you know when we have finished our initial investigation, and the outcome. If your neighbour has denied any wrongdoing, and/or you have not provided any further evidence of ASB, we will close the case. This is because, as noted above, the objective is to stop the ASB.

If the ASB continues, we try to find out who is causing the ASB. It is important that we do not blame or accuse residents without reasonable evidence. We will be careful about suggesting that someone has been causing ASB if there is no evidence. If ASB does continue and there is reasonable evidence that your neighbour is causing this ASB and has no mitigating reasons for their action, we will warn your neighbour formally that their actions are causing a nuisance and ask them to stop.

We will let you know if/when we take this action. This should be within 6- 8 weeks after your first report and detailed information has been received. We will usually give your neighbour a date when we will review their actions and start legal action if their ASB continues. We will let you know this date and arrange to speak to you shortly after the deadline.

## What will WPH do about ASB

Once the deadline has passed, we will ask you to let us know if the ASB has stopped. If the ASB has stopped, we will close the case. If it has not, we will contact your neighbour to hear their side and, if appropriate, we will take the next step based on your action plan.

We will let you know if we continue with any action.

The next step is likely to be legal action. It may take several months for a case to be heard in court. Our legal representatives will be involved if we pursue a court case. We do not have much to share at this point but will let you know when we receive a court date. If you feel at harm at any point whilst we are waiting for a court hearing, we recommend that you contact the Police.

We know that many residents in this situation may want to move away from their home. We have very few properties available to offer to anyone suffering from ASB on an emergency basis.

If we are taking your case to court, and consider that you are at risk, we will work with the local authority to try to rehouse you. This is because you may be considered statutorily homeless and, in these circumstances, the local authority is legally required to provide you with temporary or permanent housing.

We may also be able to house you temporarily, if we receive sufficient information to suggest that you may be in harm. This will usually include working with the Police to help ensure you are safe. If we are able to rehouse you, you may only prioritise housing you in a property that is the same size as the property you are currently in.



## Reporting ASB that is a crime

There are some ASB actions that are also considered a crime. If the ASB is a crime, we will expect you to report it to the Police.

This is because you have a legal requirement to report a crime, and your tenancy is based on you acting within the law. Also, if we do not have sufficient evidence, and intend to go to court, we will need to show why the crime was not reported and what evidence we are relying on. If the Police witness the crime or take successful action against your neighbour, we are much more likely to be successful at court.



The following ASB actions are crimes that should be reported to the Police:

- Theft
- Drug selling
- Hate crime incidents based on race, sexual orientation, belief, gender, disability
- Violence or threatened violence
- Drunken or disorderly behaviour in or around any WPH property including our offices.

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## Reporting ASB (Anonymously)

The only ASB activity that we will accept anonymously is a report of suspected or actual domestic abuse. Domestic Abuse is often misinterpreted as ASB. The impact on the victim is serious and we will initiate investigations if we believe a tenant is at risk as a result of domestic abuse.

Although domestic abuse is committed against both men and women, most people subjected to domestic abuse are women. As a women's housing association, we are committed to responding swiftly to any indications of domestic abuse.



## Reporting ASB (Anonymously)

All other anonymous reports will not be considered. This is because the alleged perpetrator of ASB must be able to challenge any complaint against them. If we are not able to contact the complainant of ASB, we will not be able to share the details of ASB so that the alleged perpetrator can challenge these.

## Other Agencies Involved in Managing ASB

Noise and ASB can also be reported to your local council. The council has Environmental Health departments which can investigate noise nuisance and, in some cases, implement Noise Abatement notices, which are legal requirements to reduce or cut out the noise altogether. The council often have teams that are available 24 hours and can respond to environmental health complaints, including noise.

If you are or someone in a WPH building is at risk of harm, or you see something illegal, or there's an emergency, call the police on 999. The Police are responsible for responding urgently to crimes. WPH does not respond to crimes in this way. WPH staff are also not equipped to protect you from any immediate harm in the same way the Police are.

