

## **CAUSEWAY IRISH HOUSING ASSOCIATION ANTI SOCIAL BEHAVIOUR & NUISANCE POLICY**

**Approved by Management Committee:** January 2021

**Responsible for Implementation:** Housing Operations Manager

**Review Date:** January 2024

This policy intends to minimise the incidence and impact of anti-social behaviour and nuisance within our properties and local communities. Causeway will not tolerate anti-social behaviour or nuisance which is a breach of tenancy, and as such, where anti-social issues remain unresolved, consistent and proven, we will take action to terminate an perpetrator's tenancy, in line with the procedure detailed in this policy.

### **1. Defining Anti-Social Behaviour**

- 1.1 Anti-social behaviour (ASB) covers a broad range of unacceptable activities and behaviour, which are likely to affect the well being and quality of life within a community.
- 1.2 Anti-social behaviour has been defined as;  
'Behaviour by a person which causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the person'.  
(Anti-social Behaviour, Crime & Policing Act 2014 & Police Reform and Social Responsibility Act 2011).
- 1.3 The following behaviour is considered by Causeway to be anti-social;
  - Domestic violence and / or intimidation
  - Physical violence or abuse
  - Verbal harassment and / or intimidation
  - Hate related incidents (in regards to race, religious belief, sexual orientation, disability, gender reassignment or any other actual or perceived characteristics)
  - Criminal damage
  - Drug / substance misuse or drug dealing
  - Alcohol misuse leading to aggressive behaviour
  - Misuse of communal areas including the dumping of rubbish/ littering and loitering
  - Vandalism
  - Trespass
  - Prostitution-related activity
  - Excessive noise
  - Failure to control the behaviour of any domestic pets, including fouling.
  - Any business activity, whether legal or not, operating from residential premises without permission
  - Online bullying
- 1.4 The following is considered to be nuisance;
  - noise from premises or vehicles
  - smoke from premises
  - smells from industry, trade or business premises
  - artificial light from premises
  - accumulation of rubbish / abandoned items on premises

## 2. Our Policy

- 2.1 Causeway aims for all residents to be able to enjoy their tenancy and live comfortably, without fear, disturbance or annoyance. We expect all tenants to conduct their tenancy with respect and tolerance.
- 2.2 We reinforce this expectation by making all tenants aware of their rights and responsibilities during the tenancy sign-up session, highlighting relevant clauses in the tenancy agreement and tenants' handbook. This approach will be continued throughout the tenancy with regular tenancy checks, reviews and house / property meetings to prevent anti-social behaviour.
- 2.3 We expect tenants to first attempt resolving any problems with neighbours by talking or contacting them directly, if they feel safe to do so. Where a problem persists we advise tenants to contact the relevant enforcement agency.
- 2.4 In the case of noise nuisance we advise contacting the local authority Noise Nuisance / Abatement team.
- 2.5 Where a problem involves a crime, we advise contacting the Police and making a note of the crime reference number.
- 2.6 When an anti-social problem is reported to Causeway, the problem will be recorded and we will endeavour to intervene early and mediate to avoid any escalation in nuisance.
- 2.7 We will protect and support victims and witnesses with gathering evidence, offer witness anonymity and, where appropriate, assess and consider housing options.
- 2.8 To help prevent and resolve anti-social behaviour we will work with outside agencies i.e. the Police, Community Support Team, Local Authority Noise Nuisance Teams, and Social Services.
- 2.9 Where anti-social behaviour is proven, Causeway will act swiftly in initiating legal action to terminate a tenancy (in cases where the perpetrator is a Causeway tenant).

## 3. Procedure

- 3.1 **Report** – tenants can report anti-social behaviour to Causeway either by phone, email, text and letter or in person at our office. We will ask questions to discover what happened, when and where the incident took place and by whom. The accuser will be notified if they need to be identified. The reported problem is to be recorded on an Incident Report Form, which will be given to the appropriate Housing Officer to assess the incident. The Incident Report form will be kept in the Incident File and copies will also be filed in both the victim and alleged perpetrator's file (in cases where both are Causeway tenants).
- 3.2 **Assessment** – During this assessment period the Housing Officer and Lifeskills Worker will gather information and evidence about the incident. The Housing Officer will contact the alleged perpetrator and allow an opportunity to explain their behaviour and any further information. They may contact other witnesses for information and, where appropriate, outside agencies who may have been present to clarify what happened.
  - If the incident is a hate crime and / or violent and threatening, the Housing Officer will investigate the incident and make an assessment within 1 working day.
  - All other incidents will be investigated and assessed within 7 working days.
 The assessment will result in an action plan, which is to be agreed with the victim.

3.3 **Support** – The Lifeskills Worker will speak with the victim and offer practical advice and, where further support is needed, refer the victim for counselling, to legal advice services and / or social services.

3.4 **Action** - Causeway will decide on which action to take depending on the type and seriousness of the anti-social behaviour, which may also be dependent on whether the incident can be proven.

In less serious cases Causeway may;

- Initially send a letter, reiterating tenant responsibilities and highlighting any breaches of tenancy in relation to alleged ASB with details of consequences if behaviour persists.
- Conduct a mediation meeting at Causeway's office between both parties where the Housing Officer and Lifeskills Worker mediate to resolve issues

In more serious cases Causeway may consider taking legal action by;

- Applying for an injunction, which will restrict the perpetrator from continuing with certain activities and frequenting specified areas.
- Applying for termination of a tenancy through the County Court. This could be initiated either by a Notice of Seeking Possession, followed by a court hearing and eviction, or, in Assured Shorthold Tenancy cases, by invoking Section 21 legal proceedings, without a court hearing, resulting in eviction.

3.4.1 An anti-social behaviour case will be closed when either the action plan is completed and / or no further action is required.

#### **4. Associated Policies**

- Anti-Harassment Policy
- Legal Action & Eviction Policy
- Safeguarding Policy
- Safeguarding Children and Young People Policy