

AntiSocial Behaviour Policy

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Implemented by	Housing Manager
Approval Body	Management Committee
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1. INTRODUCTION AND AIMS

We want Prospect tenants to feel safe and secure and live in peace in thriving communities.

We recognise that antisocial behaviour will impact on people's enjoyment of their homes. In acknowledging that antisocial behaviour will occur, we are committed to minimising its effects and to making our communities places where people may live in safety and peace. We will achieve this by working collaboratively to create spaces and neighbourhoods where residents feel a sense of pride. Our recent experience shows that successful management of antisocial behaviour is achieved by recognising vulnerabilities, rather than solely using sanctions. Thus, we take a collaborative approach, working with Police Scotland, City of Edinburgh Council colleagues and others to implement a person-centred approach in supporting tenants and reducing antisocial behaviour.

The Scottish Social Housing Charter

The relevant standards and outcomes for the Antisocial Behaviour Policy are:

Outcome 1: Equalities

Social landlords perform all aspects of their housing services so that:

Every tenant and other customer have their individual needs recognized, is treated fairly and with respect, and receives fair access to housing and housing services.

Outcome 2: Communication

Social landlords manage their businesses so that:

Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

Outcome 6: Neighbourhood and community

Social landlords, working in partnership with other agencies, help to ensure that:

Tenants and other customers live in well-maintained neighbourhoods where they feel safe.

Outcome 11: Tenancy Sustainment

Social landlords ensure that:

Tenants get the information they need on how to obtain support to remain in their home: and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

This policy should be read in conjunction with:

- Tackling Domestic Abuse Policy
- Estate Management Policy. Strategy and Procedure
- Tenancy Sustainment Policy
- Antisocial Behaviour Procedure

2. WHAT IS ANTISOCIAL BEHAVIOUR?

The term “antisocial behaviour” is defined by the Antisocial Behaviour (Scotland) Act 2004 as when a person:

“Acts in a manner that causes or is likely to cause alarm or distress; or pursues a course of conduct that causes or is likely to cause alarm or distress, to at least one person who is not of the same household.”

“Conduct” includes speech; and a course of conduct must involve conduct on at least two occasions.

Some behaviour can be viewed by others as antisocial, and this can cause tension. Our primary approach is to sustain tenancies with a person-centred approach. Thus, our aim is to support tenants to help manage their behaviour, so they don’t have a negative impact on others. Such behaviour may be linked to poor mental health, domestic abuse, health conditions or personalities.

When dealing with antisocial behaviour, we will try to best understand the root cause of behaviour and conduct and work with the tenant to find effective solutions to try and prevent it from recurring.

Categories and Timescales

Following consultation with staff and tenants, we agreed we will treat the following incidents as antisocial behaviour and timescales for our response:

Definition	Timescales
<ul style="list-style-type: none"> • A conviction of criminal charges of drug dealing or production of a controlled drug • Criminal charges relating to firearms or other weapons • Criminal behaviour involving serious incidents of violence or threats of violence towards any member of the public • Running a brothel • Dealing in stolen goods • Illegal betting and illegal gambling • Serious assault • Serious harassment • Hate crimes (linked to race, religion, sexual orientation, transgender identify) • Severe damage to property including willful fire-raising • Aggressive/Abusive behaviour • Drug/Solvent/Alcohol abuse related behaviour 	<p>Acknowledge and take appropriate action within 20 working days.</p>

<ul style="list-style-type: none"> • Verbal or written harassment • Noise nuisance/Disturbance • Vandalism • Graffiti • Non-accidental bin fires 	
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Certain cases will require a more immediate response and we will assess each case on its own merits and take appropriate action accordingly. We take appropriate action and aim to resolve 80% of cases within 20 working days but recognise that some cases will require legal action or ongoing support and engagement with other agencies.

Complaints not managed under the Antisocial Behaviour Policy

There are some situations and behaviours which do not constitute antisocial behaviour and there is very little we can do to resolve these issues. The following table includes some examples:

Scenario	Examples
Lifestyle Clash – people lead their lives in different ways	<ul style="list-style-type: none"> • A neighbour using a washing machine early in the evening • The sound of a neighbour moving around their home in the flat above • Children playing in an appropriate manner and at a reasonable time • Unpleasant language or music played in own home between 7am and 11pm • Getting up at different times of the day for work etc
Limitations on what Prospect can do.	<ul style="list-style-type: none"> • No evidence or corroboration to support a claim • An investigation concludes there was no evidence of antisocial behaviour or a breach of the tenancy agreement • It is a one on one neighbour dispute • Lack of corroboration from Police Scotland
Social Media Complaints	<ul style="list-style-type: none"> • Unpleasant or offensive comments directed at a Prospect tenant will not be dealt with by Prospect Where appropriate, we will involve Police Scotland or encourage the tenant to contact the social media site
Domestic CCTV Cameras or Ring Doorbells	<p>We recognise that some of our tenants may feel more secure if they install external CCTV however, others may find the installation of a CCTV camera a breach of their privacy</p> <ul style="list-style-type: none"> • Tenants seeking to install a camera must request permission from Prospect and • Will be encouraged to read the Information Commissioner’s website for guidance • Anyone complaining about CCTV or Ring Doorbells will be directed to the Information Commissioner’s guidance and Police Scotland
Estate Management Issues	<p>We will deal with the following via our estate management or other relevant procedures:</p> <ul style="list-style-type: none"> • Dog fouling or barking

	<ul style="list-style-type: none"> • Untidy gardens • Cleanliness of common areas • Fly tipping • Parking
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3. PREVENTION AND EARLY INTERVENTION

By taking a preventative approach and being proactive with early interventions, we recognise we can reduce the incidents and impact of antisocial behaviour in Prospect’s neighbourhood. We also recognise that by building trust with customers through our actions and behaviours, we can positively contribute to thriving communities who work together to challenge antisocial behaviour.

Design

We will seek to minimise some of the effects of antisocial behaviour through the design and construction of new properties and investment in existing stock, including:

- Adequate sound insulation within and between properties
- Secure external doors, and windows
- Controlled door entry systems to flats
- Overall layout of estates to “design out” crime
- Adequate fencing and lighting in communal areas
- Designated play areas
- Consider CCTV in areas with ongoing antisocial behaviour issues

Maintenance

We will seek to deal with the effects of antisocial behaviour through:

- Providing secure door entry systems
- Giving priority to dealing with graffiti and damage to door entry systems
- Providing effective security for empty properties

Tenant information and participation

We will seek to ensure that applicants and tenants understand the implications of causing antisocial behaviour by providing information in the following ways:

- The Scottish Secure Tenancy Agreement includes sections with regard to antisocial behaviour and the implications of breaching any of these conditions, in particular section 2 ‘Use of Property and Common Parts’ and section 3 ‘Respect for Others’
- Discussions between staff and tenants, particularly around the start of a tenancy. As part of a discussion around expectations of living in a flat, we stress the need for tolerance towards others as well as our aim to provide a quick and efficient response to complaints of antisocial behaviour

We will involve tenants in measures to counter antisocial behaviour through:

- Community building initiatives such as Community Clear Ups, walkabouts and various community projects with local partners. This builds engagement and develops a shared pride in the neighbourhood

- Consultations and interactions to gather tenants' views on antisocial behaviour in our estates, via Neighbourhood walkabouts, surveys etc
- Meetings with tenants to address particular situations or incidents
- Stair communications to discuss problems with rubbish disposal etc.
- Publicising our policy and approach to neighbour nuisance, including regular articles in our communications on neighbour nuisance issues which demonstrate how we deal with particular scenarios
- Work with owners or other landlords where appropriate
- Meetings of the Prospect Tenants' Forum and other tenants' groups

The aim of these discussions and measures will be to:

- Ensure that all tenants are aware of our stance on antisocial behaviour and how it will be dealt with
- Make all tenants aware that antisocial behaviour will not be tolerated
- Ensure that the potentially serious consequences of causing antisocial behaviour are understood
- Create a climate within each estate which clearly states that antisocial behaviour is not acceptable there
- Encourage the reporting of genuine persistent antisocial behaviour
- Encourage those who live near to victims of antisocial behaviour to offer support, which can assist in deterring those who cause the distressing or antisocial behaviours

Allocations

Some incidents of antisocial behaviour are the result of a clash of lifestyles rather than malicious behaviour. While we are committed to allocating our stock on the basis of housing need we will also seek to develop balanced and settled communities and to avoid obvious lifestyle conflicts where possible, e.g., too many families in one stair, or young people and elderly people immediately above or below each other. This is not a blanket approach and will rely on Housing Officers having a good knowledge of their tenants, their stock, and its management.

Prior to making an allocation, we will seek a tenancy reference from the applicant's current or previous landlord. If action has been taken against them for antisocial behaviour or neighbour nuisance, consideration may be given to refusing to make the allocation, within the grounds of the Housing (Scotland) Act 2014.

A short Scottish Secure Tenancy Agreement (short SST) is aimed at encouraging tenants to stop the behaviour and sustain their tenancy, by taking away some of their tenancy rights without the need for court action.

The Housing (Scotland) 2014 Act, introduced the following options:

- Allowing a landlord, without going to court, to give a short SST to a new tenant where that person, or other specified person, has demonstrated antisocial behaviour within the previous 3 years
- Similarly, allowing a landlord, without going to court, to convert a Scottish Secure Tenancy (SST) to a short SST, where an existing tenant or other specified person has demonstrated antisocial behaviour within the previous 3 years

These changes were intended to help landlords tackle antisocial behaviour by tenants and others living in social housing by giving more flexibility on when a short SST on antisocial

behaviour grounds can be used. They also give an opportunity to make positive change and be able to sustain a successful tenancy. In addition, changes to repossession action for any type of short SST, give increased flexibility for landlords and protection for tenants.

Partnership working

We work closely with third sector agencies operating within South West Edinburgh. We support and enhance the opportunities that are available to our tenants and the wider community. It is recognised that much of the work undertaken in this area can have a positive impact in reducing antisocial behaviour by building strong communities. We also recognise that everyone has different tolerance levels and will be able to cope with different levels of challenging behaviour.

We also work closely with local statutory agencies such as City of Edinburgh Council and Police Scotland. We are members of the South West Edinburgh Community Improvement Partnership and work closely with local partners such as Police Scotland, Women's Aid, Shakti, Scottish Fire and Rescue, City of Edinburgh Council colleagues including the SAVOLO (Sex and Violent Offender Liaison Officer) team and Environmental Health, Elected members, SSPCA, Contractors, and other local housing associations on a range of initiatives to prevent and reduce antisocial behaviour.

We also work closely with City of Edinburgh Council and other support agencies to ensure Prospect tenants and local residents receive the individual support they need to sustain their tenancies and live peacefully with their neighbours.

4. OUR APPROACH TO MANAGING ANTISOCIAL BEHAVIOUR

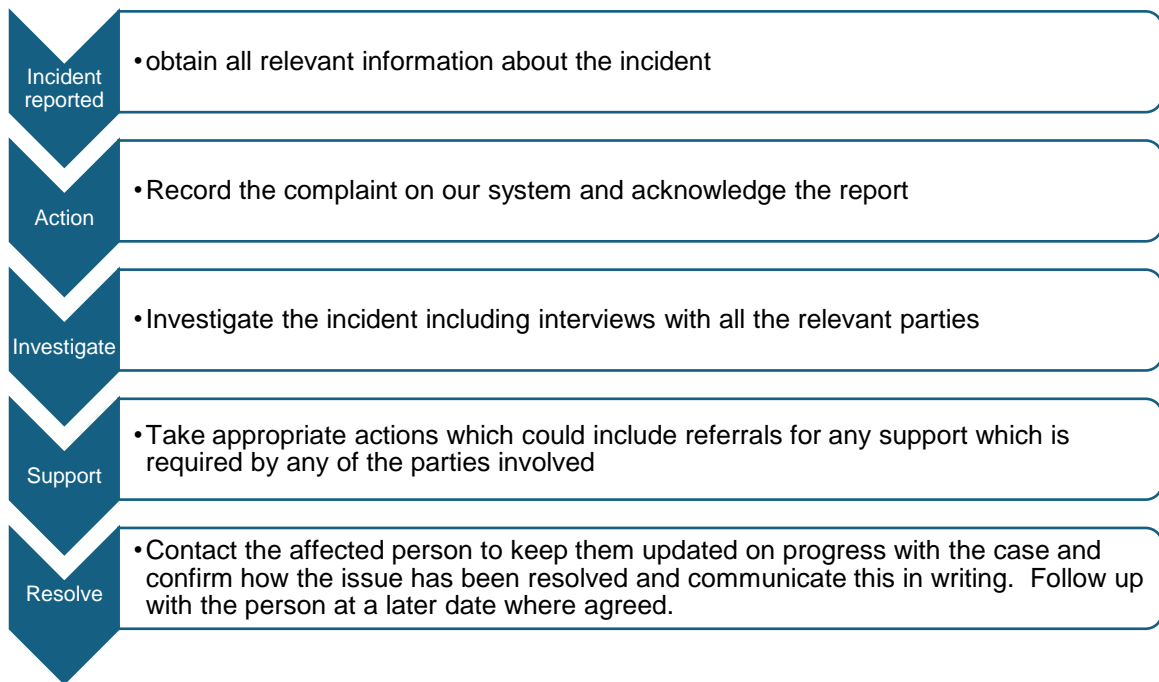
Reporting Antisocial Behaviour

Issues can be reported to Prospect via a member of staff, phone, email, website, My Prospect account or via a third party or partner agency. The Housing Officer will review the information and circumstances and decide whether the case will be dealt with as an antisocial behaviour or an estate management concern.

Any incidents connected with domestic violence or abuse will be dealt with under our Tackling Domestic Abuse policy.

Managing Antisocial Behaviour

The Housing Officer will follow the process below to manage the case.



Hate Incidents or Hate Crimes

When an incident of antisocial behaviour is reported, we will assess the type of action required. If the affected tenant reports that they believe they have been targeted due to their race, disability, gender, religion or faith, sexuality, or gender identity, we will support the tenant to report this to Police Scotland. Police Scotland will then investigate and assess whether there has been a hate crime or incident and take appropriate action. A hate incident is any incident that is not a criminal offence, but something which is perceived by the victim or any other person to be motivated by hate or prejudice. If the tenant does not feel comfortable reporting the incident to Police Scotland, we can support them to meet with our local 3rd Party Reporter, SCORE Scotland. Staff within 3rd Party Reporting Centres have been trained to assist a victim or witness in submitting a report to the police and can make such a report on the victim/witness's behalf.

Enforcement action

Our approach to the use of enforcement action will be informed by the type and severity of antisocial behaviour which has been reported. The wellbeing and protection of our tenants and communities will be at the forefront of our decision making and thus we will move straight to legal enforcement action if it is deemed necessary.

Nevertheless, we encourage tenants to be mindful of neighbours and encourage them to try and resolve differences by being more tolerant with one another in the first instance.

Depending on the circumstances, we will consider using the following tools:

- Positive relationship meetings
- Mediation
- Warning Letters
- Interdict or Specific Implement
- Interim Antisocial Behaviour Orders
- Antisocial Behaviour Orders
- Short Scottish Secure Tenancy

- Notice of Proceeding for Recovery of Possession
- Eviction Orders

The Housing (Scotland) Act 2014 introduced additional powers in relations to the management of antisocial behaviour, so that the following measures are available:

- Interim Antisocial Behaviour Order (ASBO)
- Full ASBO
- Notice of Proceedings for Recovery of Possession
- Decree for eviction
- Streamlined eviction
- Short Scottish Secure Tenancy conversion

Training

We will ensure that staff are fully aware of our policy stance on antisocial behaviour, on remedies available and of other agencies' responsibilities. We work with partner agencies for specific training, for example on Domestic Abuse or mental health. Effective training will ensure that the confidence of frontline staff in dealing with neighbour disputes will be boosted and appropriate support can be sourced and offered. Such training will assist us to earlier and more effective intervention.

5. PERFORMANCE MONITORING

In order to ensure that the objectives of this policy are met, we will:

- Aim to resolve 80% of our antisocial behaviour cases as far as we can, within a target of 20 calendar days. This target was set in consultation with our Tenants Forum
- Record all cases on our housing management system and monitor for trends
- Report quarterly to Management Committee as part of the Quarterly Key Performance Indicator Report. This will include analysis of the number types of complaints received and resolution within target timescales
- Report to our tenants on our performance within our annual Prospect Performance Report (our report on how we measure up to the outcomes of the Social Housing Charter)
- Report to the Scottish Housing Regulator as part of our Social Housing Charter annual return
- Conduct satisfaction surveys relating to our management of neighbourhoods within our tenant satisfaction surveys

6. CONFIDENTIALITY AND DATA PROTECTION

We will treat all neighbour disputes and complaints of antisocial behaviour in a confidential manner. Prospect Community Housing complies with the Data Protection Act 2018 and the General Data Protection Regulation in relation to all personal information held.

7. PROSPECT EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy	Antisocial Behaviour
Department	Housing Management
Who is involved in the EQIA?	Catherine Louch
Date completed	27 June 2024

Stage 1: Screening Record

What is the main purpose of the policy?

Prospect's Antisocial Behaviour Policy outlines how we define antisocial behaviour and the approaches we take to prevent and respond to incidents of antisocial behaviour within our communities. It contributes to meeting the following outcomes of the Scottish Social Housing Charter:

- 1 – Equalities
- 2 – Communication
- 6 – Neighbourhood and community
- 11 – Tenancy sustainment

Who will the policy benefit and how?

Our Antisocial behaviour policy aims to address or mitigate the impacts of antisocial behaviour on our tenants, regardless of which of the protected characteristics they may have. As each characteristic may have a different requirement of support to cope with or reason which may cause antisocial behaviour we need an understanding of the way in which the protected characteristic may impact on their behaviour. Considering all the equality groups will help us deliver a better service to our tenants.

For each equality group, does or could the policy have a negative impact?

Protected characteristic	Negative	Positive/no impact	Don't know
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy & maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief (including no belief)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Are there any potential barriers to implementing the policy?

- A lack of reporting of antisocial behaviour by particular groups would mean we did not have a true picture of the issues faced.
- Lack of understanding of our tenants and their needs in dealing with antisocial behaviour.
- Lack of knowledge of the needs of different characteristics and how their experience around antisocial behaviour may differ.

	Yes	No
Is a full EQIA required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Stage 2: Assessing the impacts

Considering Prospect's Equalities Data and Community Profile summaries, how might the policy impact on people who share protected characteristics? Include both positive and negative impacts.

Protected Characteristic	Description of Impact
Age	The policy allows for a flexible approach to investigating antisocial behaviour to respect an individual's preference for communication format, meetings at a time and place which suits etc. Referrals are included to a range of partner agencies for support in a range of ways (personal care &/or housing support for older people, youth work for younger people etc). Older people may spend more time at home and thus may be more affected by neighbours' behaviours.
Disability	The policy allows for a flexible approach to investigating antisocial behaviour to respect an individual's preference for communication format, meetings at a time and place which suits etc. Referrals will be made to a range of partner agencies. We recognise that some people with poor mental health may exhibit some challenging behaviours. We will work with partner agencies to try and ensure that they are supported to receive appropriate assistance to reduce the impact of their behaviour on others.
Gender reassignment	The policy allows for a flexible approach to investigating antisocial behaviour to respect an individual's preference for communication format, meetings at a time and place which suits etc. Links to partner agencies to ensure we offer appropriate support. We take a person-centred approach. We recognise that trans people may be at higher risk of abuse from antisocial behaviour. We work to encourage supportive, inclusive communities which reduce discrimination.
Marriage & civil partnership	The policy allows for a flexible approach to investigating antisocial behaviour to respect an individual's preference for communication format, meetings at a time and place which suits etc. Links to partner agencies to ensure we offer appropriate support. We take a person-centred approach.
Pregnancy & maternity	The policy allows for a flexible approach to investigating antisocial behaviour to respect an individual's preference for communication format, meetings at a time and place which suits etc. Links to partner agencies to ensure we offer appropriate support. We take a person-centred approach.
Race	The policy allows for a flexible approach to investigating antisocial behaviour to respect an individual's preference for communication format, meetings at a time and place which suits etc. Links to partner agencies to ensure we offer appropriate support. We take a person-centred approach. We recognise that ethnic minorities may be at higher risk of abuse from antisocial behaviour. We work to encourage supportive inclusive communities which reduce racism.
Religion or belief (including no belief)	The policy allows for a flexible approach to investigating antisocial behaviour to respect an individual's preference for communication format, meetings at a time and place which suits etc. Links to partner agencies to ensure we offer appropriate support. We take a person-centred approach.

	We acknowledge that people of particular religions may be targeted, especially in line with world events. We work to encourage supportive, inclusive communities which reduce religious hatred.
Sex	The policy makes no distinction between men and women. Links to partner agencies to ensure we offer appropriate support. We take a person-centred approach.
Sexual orientation	The policy allows for a flexible approach to investigating antisocial behaviour to respect an individual's preference for communication format, meetings at a time and place which suits etc. Links to partner agencies to ensure we offer appropriate support. We take a person-centred approach. We recognise that LGBTQ+ residents may be more likely to be a target of antisocial behaviour. We work to encourage supportive, inclusive communities.

How does the policy promote equality of opportunity?

By supporting all of our tenants to live in well maintained neighbourhoods where they feel safe. We will prioritise cases of antisocial behaviour which are linked to hate incidents.

How does the policy promote good relations?

By embracing a partnership approach to support tenants to maximise their health and wellbeing to live in peace with their neighbours.

Stage 3: Decision making and monitoring

Identifying and establishing any required mitigating action

Does the assessment show a potential for differential impact on any group(s)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is there potential for unlawful direct or indirect discrimination?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

What arrangements could be implemented to reduce or mitigate any potential adverse or negative impacts identified?

None identified.

Describing how Equality Impact analysis has shaped the policy making process

We did not identify any further changes to the policy as a result of carrying out this analysis.

There are no cost implications from the equality impact assessment.

Carrying out this assessment has helped us to analyse the impact of our approach on the various protected characteristics. It has prompted us to ensure we are working with a range of support organisations to enhance our person-centred approach to dealing with antisocial behaviour and its impact. Ongoing analysis of cases with the equality strands taken into account will be useful to identify what further preventative work we can undertake. This can link to our Community Projects work.

Monitoring and Review

We will compare our antisocial behaviour performance to other landlords via the Annual report on the Charter annually. We will analyse trends within antisocial behaviour performance to identify equality strands to establish if trends occur. We can then take appropriate action.

We will review the policy and this assessment in three years.

The Housing Manager is responsible for these areas.

Stage 4 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, sex, pregnancy and maternity, gender reassignment, sexual orientation, race and religion or belief have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation
- Removing or minimising any barriers and/or disadvantages
- Taking steps which assist with promoting equality and meeting people's different needs
- Encouraging participation (e.g., in public life)
- Fostering good relations, tackling prejudice and promoting understanding

Yes No

Declaration

I am satisfied with the equality impact assessment that has been undertaken for Antisocial Behaviour.

Name: Catherine Louch

Position: Housing Manager

Authorisation date: 16 July 2024