1.0 Purpose

1.1 Sapphire Independent Housing wants our clients, employees, general public and the local community to feel safe in our services and in the neighbourhoods where they are located.

1.2 Therefore, the proper of handling anti-social behaviour (ASB) is one of Sapphire Independent Housing’s highest priorities.

1.3 This policy provides a framework on how Sapphire Independent Housing will work to try to prevent ASB before it starts, wherever possible, and outlines how we will manage such incidents.

2.0 Scope

2.1 This policy does not deal with harassment in the workplace carried out by an employee (see Harassment and Bullying in the Workplace policy).

2.2 This policy applies to introductory and assured tenancies and to Licensees.

2.3 It is the responsibility of all Managers to ensure that this policy and procedure is adhered to all times.

2.4 All employees will receive training around harassment during their induction period or as a refresher course. Any new employees will be informed of this policy during their induction period.

2.5 Sapphire Independent Housing recognises that we cannot tackle ASB on our own (e.g. if the perpetrator of ASB is not a client in our service) therefore we will work in partnership with other agencies, such as Safer Neighbourhood Teams. Police, Environmental Health, drugs and alcohol support agencies, mental health, Social Services, Local Authorities, mediation services, and any other agencies.

3.0 Objectives

- To focus on tenancy and community sustainment by taking early action but using legal action as a last resort
- To consider the needs of all parties involved in ASB including the victims, witnesses and perpetrators
- To collate and report data on ASB
- To ensure that our clients know how Sapphire Independent Housing manages ASB and how they can receive support around it
4.0 What is Anti-social Behaviour (ASB)?

4.1 The Housing Act 1996 defines anti-social behaviour as conduct which:

- is capable of causing nuisance or annoyance to any person; and
- Directly or indirectly relates to or effects the housing management functions of a landlord or
- Involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose

Anti-social behaviour also includes any conduct of persecution or intimidation of a person or a group of people, because of their race, sexual orientation, gender, religion or belief, gender reassignment, disability or age.

4.2 Examples of anti-social behaviour include, but is not limited to:

Misuse of housing or public space
- Drug/Alcohol Misuse e.g. drinking outside of Controlled Drinking Zones (CDZ) or drunken behaviour
- Drug dealing
- Discarding needles/drug paraphernalia
- Begging
- Prostitution
- Criminal acts
- Abandoned vehicles

Personal wellbeing or Disregard for community
- Noise nuisance
- Rowdy behaviour e.g. shouting, swearing, fighting
- Nuisance behaviour e.g. urinating in public, throwing missiles, shouting upto windows to call people

Acts directed at people
- Intimidation/Harassment e.g. threatening language and behaviour, verbal abuse, bullying including via social networks such as text message/ Facebook/ Twitter, following people, sending offensive letters, making nuisance calls
- Actual violence against people including domestic violence
- Harassment based on a protected characteristic e.g. race, sexual orientation, gender, religion or belief, gender reassignment, disability, age

Environmental damage
- Criminal damage and vandalism
- Graffiti
- Littering e.g. throwing litter out of the window
- Fly tipping

4.3 The list above includes residents/tenants allowing their visitors to engage in any anti-social behaviour.

4.4 Under the Equality Act 2010, individuals can now raise concerns about behaviour that they find offensive even if it is not directed at them, and they need not possess the relevant characteristic themselves. For example, an employee may wish to raise a grievance against a client for inappropriate
teasing and other employees in the office may do so also on the basis that the client has created an offensive environment.

4.5 Individuals are also now protected from harassment because others think that they possess a particular protected characteristic, even if they do not, or if they are associated with a person who possesses a protected characteristic.

4.6 Sapphire Independent Housing can also be potentially liable under the Equality Act for harassment of employees by a third party e.g. a client (who are not employees of Sapphire Independent Housing). Sapphire Independent Housing will only be liable when the harassment has occurred at least twice, Sapphire Independent Housing is aware of the incidents and has not taken reasonable steps to try to prevent it from happening again.

5.0 Publicity and Prevention

5.1 Specific clauses in relation to the prohibition of anti-social behaviour and harassment in Sapphire Independent Housing’s occupancy agreements will be explained to all clients during the booking in process.

5.2 Sapphire Independent Housing will prominently display posters and circulate leaflets around our premises to demonstrate what services are available around ASB and how they can access them.

5.3 We will also use CCTV in our supported housing schemes to monitor any ASB to ensure the safety of the residents, the buildings and our employees. All data will be processed in line with our Data Protection and Confidentiality policy.

5.4 In our supported housing schemes, employees may organise patrols of areas where ASB is repeatedly occurring (See Managing the Locality policy).

6.0 Reporting of anti-social behaviour (see Appendix II)

6.1 Incidents of ASB can be reported by telephone, in writing or in person to any member of staff.

6.2 Supporting victims and witnesses is crucial as without a complaint, we have no detailed knowledge of the problem and we have no evidence to build a case. Their evidence is more credible than hearsay.

6.3 Therefore, we need to gain the trust and confidence of a victim/witness as soon as a report is made. All Sapphire Independent Housing staff should follow the guidelines:

- Establish trust with the victim/witness

  Do not underestimate the fear and intimidation that a victim/witness may be living with so arrange a face-to-face meeting with each victim/witness in a private room to hear the complaint. Details should be recorded by staff.

  Complainants may wish to invite a representative to the meeting for advice and support and where necessary, an interpreter will be provided.
• Take their complaint seriously

Advising them you will endeavour to deal with their complaint within 24 hours and keep them informed at all stages of the process so that they can feel safer to go about their daily lives without fear.

This includes providing feedback on action taken in response to their complaint otherwise they will not know that anything is being done.

6.4 We recognise some reports may be deliberately mischievous or based on prejudice however we will carry out a fair and thorough investigation before making any decision or taking any action.

6.5 Sapphire Independent Housing recognises that the nature of the role of frontline staff means that they can be subject to ASB perpetrated by the clients they are supporting e.g. swearing or spitting at them. In the first instance, employees should inform their Line Manager, explaining the nature of the incident. The Line Manager will then speak to the client to warn them that their behaviour is inappropriate. If the client repeats ASB towards the employee, then the Line Manager will be responsible for taking reasonable action to prevent it from taking place again e.g. warning or NTQ.

7.0 Support for Victims/Witnesses

7.1 Sapphire Independent Housing recognises the personal stress that ASB can cause and Sapphire Independent Housing will work to help clients feel safe, secure and able to report incidents of ASB. It is crucial that the needs of victims/witnesses are at the forefront of any approach.

7.2 We will respect the confidentiality of victims/witnesses if they wish, by considering the use of:

• Anonymised witness statements where the identity of the witness is kept confidential
• Third party evidence
  This is relevant evidence given by one person on behalf of another e.g. a Service Manager may have investigated an incident where one of the residents involved has now departed the service however the Manager is able to give evidence on their behalf.
  In this case, in order to give weight to the statement, it is ideal that the identity of the victim is revealed.
• Professional witness statements e.g. by a Keyworker, drug/alcohol support worker
• Community Support Statements
  Given by a Service Manager and indicates the impact the perpetrator’s ASB has had on the hostel and/or the local community
• CCTV footage to gather evidence of ASB

7.3 Methods of support can include:

• Advising the perpetrator in writing to stay away from the victim/witness e.g. included in an Acceptable Behaviour Contract (see Section 8.0)
Sapphire Independent Housing Ltd.  

Housing Management Policies

- Regular contact with the victim/witness to actively monitor the perpetrator’s compliance/behaviour e.g. daily, weekly
- Carrying out a client risk assessment to ensure that the witnesses can remain in their accommodation safely e.g. they may be asked to change rooms for their own safety
- Requesting assistance from the Safer Neighbourhood team
- Out-of-hours support from Night staff
- Peer support so that a victim/witness can gain support from someone in a similar situation
- Signposting to an external agency for support e.g. Victim Support (see Appendix A)

8.0 Action against Perpetrators

8.1 Enforcement should be matched with support for the perpetrator as our aim is:
- to enable the perpetrator to recognise the consequences of their behaviour
- to ensure that the perpetrator has access to support to help address their behaviour and
- to put in place measures to prevent the behaviour.

Licence Agreements

8.2 Sapphire Independent Housing will issue warnings in line with our Breach of Licence policy and other measures may be necessary including:
- Discussion of ASB and its consequences as part of Keywork and support planning
- Referrals to anger management service, drug and alcohol services, mental health and counselling services
- Problem solving groups where a perpetrator presents a range of risk factors or several agencies are involved in resolution
- Acceptable Behaviour Contracts (ABCs)
- Evictions
- Referrals to the local Safer Neighbourhood team
- Mediation
- Reports to the police

Assured Tenancies

8.3 The range of interventions includes civil law orders derived from a range of legislation including the Housing Act 1985 as amended by the Housing Act 1996, Crime and Disorder Act 1998, Anti-social Behaviour Act 2003,
Environmental Protection Act 1990 and the Housing Act 2004. The use of legal interventions is incremental and only fast tracked where violence has been used or threatened.

- Introductory tenancies/Non-assured shorthold tenancies
  These tenancies can be terminated within the first 12 months and in some circumstances, can be extended by a further 6 months.

- Mediation
- Referrals to the local Safer Neighbourhood team
- Acceptable Behaviour Contracts (ABCs)
- Demotion order
- Injunctions
- Notice seeking possession

8.4 If an individual disagrees with a decision taken by Irish Centre Housing, s/he has the right to appeal against it in accordance with our Appeals procedure e.g. a NTQ that has been issued.

9.0 Recording Incidents of anti-social behaviour

9.1 In case Sapphire Independent Housing decides to take legal action against a perpetrator, we need to know what happened and when in order to assist us to reach a decision.

9.2 Therefore, all incidents should be factually recorded in the Anti-Social Behaviour Log including the date, time, name of the perpetrator, the nature of the activity and the staff name.

9.3 Anti-social behaviour incidents should also be discussed during staff handover to ensure that all employees are informed of any ongoing information in case further action is required.

10.0 Monitoring and Review of anti-social behaviour

10.1 The data collection of ASB provides a monitoring and evaluation tool to determine how successful we are in managing anti-social behaviour.

10.2 It will also enable our partnerships to better plan our programme of anti-social behaviour work and target our resources appropriately.

10.3 ASB reports will be produced in a quarterly monitoring report by Service Managers detailing the action taken.

10.4 This report will be made available to the Board and to Local Authorities however no individual information regarding victims, witnesses or perpetrators will be included.

10.5 This policy will be reviewed annually in conjunction with the ASB report.
11.0 Legislative Framework

(Sapphire Independent Housing recognises that the Home Office is currently reviewing legislation and our policy will be updated to reflect the changes)

- Anti-social Behaviour Act 2003
- Crime and Disorder Act 1998
- Housing Act 1996
- Misuse of Drugs Act 1971
- Environmental Protection Act 1990
- Noise Act 1996
- Racial and Religious Hatred Act 2006
- Race Relations (Amendment) Act 2000
- Domestic Violence, Crime and Victims Act 2004
- Equality Act 2010

Associated Policies

- Breach of Licence Agreement policy and procedure
- Managing the Locality
- Acceptable Behaviour Contract
- Equality & Diversity
- Excluded Licence Agreement
- House Rules
- Complaints and Appeals policy and procedure
### APPENDIX A

#### Useful Contacts

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Purpose</th>
<th>Contact Details</th>
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</thead>
<tbody>
<tr>
<td>Actionline</td>
<td>Advice for practitioners on how to tackle ASB</td>
<td>Tel: 0870 220 2000 <a href="mailto:Actionline@bss.org">Actionline@bss.org</a></td>
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<tr>
<td></td>
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<tr>
<td>Victim Support</td>
<td>Free and confidential help to victims of crime, their family, friends</td>
<td><a href="http://www.victimsupport.org.uk">www.victimsupport.org.uk</a> Supportline - 0845 30 30 900</td>
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<tr>
<td></td>
<td>and anyone else affected</td>
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<tr>
<td>Connexions</td>
<td>Free confidential helpline offering information, advice and support to</td>
<td>Tel: 080 800 13 2 19 (8am - 2pm)</td>
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<tr>
<td></td>
<td>13 – 19 yr olds</td>
<td></td>
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<tr>
<td>Men’s Aid</td>
<td>Free practical advice and support for men who have been abused</td>
<td>Tel: 0871 223 9986 (8am – 8pm seven days a week)</td>
</tr>
<tr>
<td>Women’s Aid</td>
<td>National charity working to end domestic violence against women and</td>
<td><a href="http://www.womensaid.org.uk">www.womensaid.org.uk</a> National Domestic Violence Helpline - 0808 2000 247</td>
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<td></td>
<td>children.</td>
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<tr>
<td>Samaritans</td>
<td>24 hour helpline providing non-judgemental, confidential, emotional</td>
<td><a href="http://www.samaritans.org">www.samaritans.org</a> Tel: 0845 7 90 90 90</td>
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<td></td>
<td>support to anyone in a crisis</td>
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<tr>
<td>Crimestoppers</td>
<td>To report ASB anonymously</td>
<td>Tel: 0800 555 111</td>
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<tr>
<td>Metropolitan Police</td>
<td>Call to report a crime if it’s not an emergency</td>
<td>Tel: 0300 123 1212 <a href="http://www.met.police.uk">www.met.police.uk</a></td>
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<tr>
<td>Service</td>
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<tr>
<td>Anti-Terrorist Hotline</td>
<td>To report something suspicious or if you are unsure about somebody’s</td>
<td>Tel: 0800 789 321</td>
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<td></td>
<td>activities or behaviour</td>
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<tr>
<td>Safer Neighbourhood</td>
<td>To report day-to-day crime and disorder issues</td>
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<tr>
<td>Team</td>
<td>Bethany House - Clerkenwell Team</td>
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<tr>
<td></td>
<td>Tel: 020 7 161 8121</td>
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<td></td>
<td>Tel: 07717 432 752</td>
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<tr>
<td></td>
<td>Email: <a href="mailto:clerkenwell.snt@met.police.uk">clerkenwell.snt@met.police.uk</a></td>
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<tr>
<td></td>
<td>Seven Sisters Rd – Brownswood Team</td>
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<tr>
<td></td>
<td>Tel: 020 8 721 2030</td>
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<td>Tel: 020 7 161 8272</td>
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<td>Conway House – Kilburn Team</td>
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<td>Tel: 020 8 721 2017</td>
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<td>Tel: 07843 291 099</td>
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<td></td>
<td>Email: <a href="mailto:Camdenkilburn.snt@metpolice.uk">Camdenkilburn.snt@metpolice.uk</a></td>
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<td></td>
<td>Hertfordshire &amp; Hertsmere Safer Neighbourhoods</td>
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<td></td>
<td>Tel: 01707 806630 or 0845 33 00 222</td>
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<td>St Eugene Court – Queens Park Team</td>
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<td>Tel: 020 8 721 2960</td>
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<td></td>
<td>Tel: 07920 233 761</td>
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<tr>
<td></td>
<td>Email: <a href="mailto:Brentqueenspark.snt@metpolice.uk">Brentqueenspark.snt@metpolice.uk</a></td>
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