

Loreburn Group

Anti-Social Behaviour Policy



Creating Great Places to Live

Policy	Anti-Social Behaviour									
Version Reference	3									
Approved by	MC			LET			MT		X	
Date of Approval	July 2022									
Review Period	Every 3 Years or as legislation or substantive changes occur									
Review Due	July 2025									
Policy Champion	Head of Housing									
Who this policy affects	Staff	x	Customers	x	Contractors		Members of the Public		x	
Where this policy affects	General needs	x	Later Living	x	Supported	x	Offices/staff base			

1. Purpose of this Policy

- 1.1 To set out Loreburn Housing Association's approach to tackling anti-social behaviour to enable customers and their households to live in an environment that is attractive, safe, and secure that is free from nuisance, intimidation, and harassment.
- 1.2 Local experience has shown that antisocial behaviour can remove vitality and confidence from individuals and communities, can affect health and wellbeing, and has long been recognised as a barrier towards prosperity and ambition. The effects of antisocial behaviour are felt, not only by individuals and their families, but also by the wider community.
- 1.3 The key principle to tackling anti-social behaviour is to have a clear understanding of the nature, frequency, location, and complexity of the issue. A number of factors can contribute toward an individual acting anti-socially, such as substance misuse, adverse childhood experience and trauma. Loreburn's approach to tackling anti-social behaviour recognises this and will ensure individuals acting anti-socially are supported to amend their behaviour and to seek the appropriate support.
- 1.4 Loreburn is a member of the Dumfries and Galloway's multi-agency Antisocial Strategy Group and works to promote an ambitious, prosperous, and confident Dumfries and Galloway where people can achieve their potential. In order to achieve this vision, the Antisocial Behaviour Strategy Group work closely together to produce and deliver this strategy.
- 1.5 This Policy is accompanied by a Procedural Guide.

2. Aims & Outcomes of this Policy

- 2.1 The aim of the policy is to mitigate potential impacts of anti-social behaviour on our customers by ensuring we have robust procedures in place to tackle anti-social behaviour promptly and effectively, whilst adhering to legislation.
- 2.2 To achieve this, we will:
 - Design our properties to minimise the opportunity for anti-social behaviour and achieve Secure by Design standards.
 - Advise new tenants when they are allocated a property of their obligations contained in the Tenancy Agreement.
 - Take early action in responding to reports of anti-social behaviour and adopt a balanced non-judgemental approach.
 - Keep the victims of anti-social behaviour informed during the investigation into their complaint, whilst respecting the confidentiality of information received from both the complainer and alleged perpetrator.
 - Offer the victims of anti-social behaviour support, regular information updates, and the opportunity to receive support from Victim Support Scotland.
 - Regularly inform all our tenants of the approach we take to anti-social behaviour.

- Consider what support, where appropriate, is offered to tenants to help them sustain their tenancy.
- Pursue legal action against the perpetrators of anti-social behaviour where intervention has failed to stop the behaviour.
- Work closely with Dumfries & Galloway Council's Anti-Social Behaviour Strategy Group and the Community Safety Team and follow the Working Protocol Agreement.
- Work closely with other external agencies such as the Police, Fire Service and other Registered Social Landlords to prevent and tackle anti-social behaviour.
- Keep accurate records of the type and frequency of anti-social behaviour occurring in our housing developments.

3. How will we achieve our Aims and Objectives

- 3.1 We will provide advice and assistance on anti-social behaviour matters to ensure are able to live in an environment where they feel safe, secure, and free from harassment and intimidation.
- 3.2 Enforce tenancy conditions, using legal action where appropriate.
- 3.3 Participate in Community Safety Multi-Agency Tasking and Co-ordinating group meetings (MATAC). These meetings formalise local partnership arrangements and adopt a problem-solving approach to consider the most problematic cases. The meetings ensure shared situational awareness, share, and maximise use of finite resource, and ensure accountability and progress toward improved outcomes for people and communities affected by antisocial behaviour.
- 3.4 This policy is supported by detailed procedures outlining our day-to-day practice which will enable us to meet the aims and objectives of the policy.
- 3.5 We will aim to be consistent, but we also aim to be flexible and proactive, meeting customer needs and expectations when providing housing management service.

4. Complaints

- 4.1 Loreburn has a commitment to valuing complaints and ensures the organisation benefits from feedback to identify areas for change or improvement.
- 4.2 Loreburn has a Complaints Policy which ensures there are robust and effective procedures in place for complaints to be properly managed and acted upon.
- 4.3 Anyone dissatisfied with the outcome of their complaint having exhausted Loreburn's complaints procedure has the right to refer the matter to the Scottish Public Services Ombudsman.

5. Equality & Human Rights

- 5.1 Loreburn aims to ensure that equality, fairness, dignity, and respect are central to the way we work and how we treat our customers. We support diversity and uphold equal opportunities in all areas of our work as an employer and service provider.
- 5.2 Loreburn will not discriminate against tenants, staff, visitors, suppliers or others based on their age, sex, sexual orientation, race, disability, religion or belief, marital status, pregnancy and maternity or gender reassignment (collectively referred to as 'protected characteristics' in the Equality Act 2010).

6. Risk Management

- 6.1 Loreburn has a Risk Management Strategy, Policy and Procedure. These documents set out how the organisation will manage risk as an integral part of its governance and management systems, ensuring risks are identified, evaluated, and controlled effectively.
- 6.2 Identifiable risks arising from this policy will be monitored and managed by the internal processes set out herein and by regular review of this and all other associated policies and procedures, ensuring risks are mitigated and Loreburn complies with all legislative requirements and regulatory and best practice guidance.

7. Responsibilities Chart

The chart below illustrates the responsibilities of all staff pertaining to this policy:

Responsibilities	Board/ CEO	LET	Head of Housing	Assistant Housing Manager	All Staff
To set the policy and direction with regards to anti-social Behaviour	✓				
Ensure Loreburn H A staff have a robust understanding anti-social behaviour and the associated risks		✓			
Participate in MATAC group meetings				✓	
Participate in ASB Strategy group meetings			✓		
Manage service, reporting and update EMT quarterly			✓		
Take lead on applications, make day to day decisions					✓
Record Keeping for ASB cases					✓

Policy Champion			✓		
Ensure effective and clear communication with key stakeholders including Customers					✓
Reporting any concerns to Line Manager				✓	✓
Participate in meetings and provide evidence for investigations as required			✓	✓	✓
Ensure feedback is used to improve service			✓	✓	✓
Working with Head People & Culture to ensure staff have appropriate training			✓	✓	
Ensure policy is reviewed as necessary			✓	✓	✓
Ensure E&D guidance is adhered to		✓	✓	✓	✓

8. Legislative Background

- The [Antisocial Behaviour \(Scotland\) Act 2004](#) sets out a range of relevant legislation including a legal definition of ASB, arrangements for information sharing, and tools available to local authorities to tackle ASB

- [Data Protection Act 2018](#)

- [General Data Protection Regulation](#)

- [Equality Act 2010](#)

- [The Housing \(Scotland\) Act 2001](#) incorporates and adds to the [Housing \(Scotland\) Act 1987](#) in giving ASB as a ground for eviction.

- [The Housing \(Scotland\) Act 2014](#) introduces new powers including streamlined eviction for ASB and increased powers to use Short Scottish Secure Tenancies (SSSTs) where the prospective tenant has a history of ASB.

- [The Protection from Harassment Act 1997](#) sets a criminal definition of harassment.

- [The Scottish Social Housing Charter](#) This sets out the standards that Scottish landlords must achieve when conducting their housing activities. Outcome 6; 'tenants and other customers live in wellmaintained neighbourhoods where they feel safe'.

- [The Short Scottish Secure Tenancies \(Notice\) Regulations 2018](#)

- [The Short Scottish Secure Tenancies \(Proceedings for Possession\) Regulations 2018 Guidance](#)

- [Short Scottish Secure Tenancies for Antisocial Behaviour and Other Miscellaneous Changes to Short Scottish Secure Tenancies](#) - Statutory Guidance for Social Landlords

• [Streamlined Eviction Process - Criminal or Antisocial Behaviour](#) - Statutory Guidance for Social Landlords

•The Scottish Secure Tenancy Agreement – this is the formal document that outlines the customer’s responsibilities and obligations in relation to their tenancy, including updating the Association with any changes to household details.

•The Short Scottish Secure Tenancy Agreement - this is the formal document that outlines the customer’s responsibilities and obligations in relation to their tenancy, including updating the Association with any changes to household details.

•Assured Tenancy Agreement – this is the formal document that outlines the customer’s responsibilities and obligations in relation to their tenancy with Dumfries and Galloway Homes.

•Exclusive Occupancy Agreement - this is the formal document that outlines the customer and landlords’ responsibilities and obligations in relation to factored properties.

9 Scottish Social Housing Charter – Performance Monitoring

9.1 The Scottish Social Housing Charter sets out the standards and outcomes that all Scottish social landlords should achieve when conducting their housing activities. These are used to monitor performance and to ensure customers are receiving a high standard of service.

9.2 There are five relevant charter outcomes, these are described below:

- Equalities

Social landlords should ensure every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services. We can achieve this by prompt resolution of estate management complaints, and by offering solutions to meet the needs of our customers.

- Communication

Social landlords manage their businesses so that tenants and other customers find it easy to communicate with their landlord and get information they need about their landlord, how and why it makes decisions and the services it provides. Loreburn H A can achieve this outcome by using a variety of methods of communication from face-to-face conversations to social media. Customers should be able to have queries about the management of their neighbourhood answered promptly.

- Participation

Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord’s decisions at a level they feel comfortable with. Loreburn H A will use the communication methods outlined above and also look to our Customer Engagement Strategy to engender a culture where customers can influence the management of their own neighbourhood.

- Neighbourhood and Communities

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. Where appropriate Loreburn will work with other agencies such as Police Scotland, and social work to tackle issues which are of concern to our residents.

- Tenancy Sustainment and Support

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. We will offer advice and assistance to residents to help them maintain their tenancy by referring them to appropriate agencies or by organising support by us or other support services.

10 Measuring Performance

- 10.1 Performance is monitored through Loreburn H A's Performance Management Framework using the Scottish Housing Regulator Annual Return Charter Indicators, House Mark and Loreburn HA's Strategic Performance Indicators and operational performance indicators for anti-social behaviour.
- 10.2 Loreburn HA will consult customers, stakeholders, and other agencies in order to continually measure good practice.
- 10.3 The Policy will adhere to Loreburn HA's commitment to continuous improvement and value for money.

11 Associated Policies

- Complaints Policy
- Estate Management Policy
- Choice Based Letting Policy
- Pets Policy
- Adverse Events Policy
- Risk Flag Policy
- CCTV Policy

12 Policy Review

- 12.1 The Policy Champion is the Head of Housing
- 12.2 Policy Champion is responsible for completing the Health and Safety Assessment and Equality, Diversity, and Inclusion Assessment Checklist.
- 12.3 This policy will be reviewed by the Policy Champion every 3 years or sooner as required due to legislative or substantive change.

Policy Assessment Checklist

Health & Safety Assessment

Does this policy have the potential to affect?

Lone Working	Yes
Safety and/or wellbeing of staff	Yes
Safety and/or wellbeing of customers	Yes
Have the above items been considered in the preparation of this policy?	Yes

Comments:

Equality, Diversity & Inclusion Assessment

Does this policy have the potential to affect:

Staff's rights to equal opportunities	No
Tenants' / Customer's rights to equal opportunities	Yes
Tenants' / Customer's ability to access to homes and/or services	Yes
Have the above items been considered in the preparation of this policy?	Yes

Comments:

Agile Working Assessment

Agile working requirements have been considered and addressed in the preparation of this policy: Yes