

# HOUSING SERVICES STATEMENT ON DEALING WITH ANTI- SOCIAL BEHAVIOUR

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## Introduction to Statement

This document explains how Gosport Borough Council's Housing Service deals with anti-social behaviour that occurs within Gosport.

As a landlord, Gosport Borough Council Housing Services has certain powers to deal with anti-social behaviour, but also works with partner agencies in an attempt to prevent anti-social behaviour and to rehabilitate those who have been involved in causing anti-social behaviour.

This document reflects the key strategic aims of Gosport Borough Council and should be read in conjunction with the Council's Housing Strategy and the Gosport Crime and Disorder Strategy 2002-2005.

## General statement of the Housing Services approach to dealing with Anti- Social Behaviour

- The Gosport Borough Council's Housing Service recognises the harm that anti-social behaviour can cause to individuals and communities. The Housing Service believes that addressing anti-social behaviour is a core responsibility of a social landlord. In delivering that core responsibility it believes:
- Prevention and engagement are the most effective strategies to realise that objective<sup>1</sup>
- Enforcement of legal and other sanctions are a necessary tool to be used if and when prevention and engagement strategies fail<sup>2</sup>
- Maintaining the confidence of the community is important to encourage residents to report incidents, as well as supporting complainants and witnesses through the process of case management when dealing with anti-social behaviour<sup>3</sup>
- That the Housing Service cannot act effectively in isolation to counter anti-social behaviour and is therefore required to consult, co-operate and assist other agencies and service providers to deliver on its wider responsibilities.<sup>4</sup>

The Housing Services commitment to deal with anti-social behaviour is reflected in both the Housing Strategy and the Community Safety Strategy.

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### Footnotes

<sup>1</sup> See 'Tackling Anti-social Behaviour in Mixed Tenure Areas', chapter 8, Office of the Deputy Prime Minister (ODPM), March 2003. See also 'Tackling Anti-social Tenants: A Consultation Paper', Sections 2 & 3, Department of Transport, Local Government and the Regions (DTLR), April 2002.

<sup>2</sup> See above

<sup>3</sup> See footnote 1. See also 'Tackling Anti-social Tenants: A Consultation Paper', Good Practice Note 4, DTLR, April 2002.

<sup>4</sup> See 'Anti-social Behaviour: Policy and Procedure – Code of guidance for local housing authorities and housing action trusts', chapter 3, ODPM, August 2004.

## Definition of Anti-Social Behaviour

This document accepts the definition contained within the Crime and Disorder Act 1998 which states that anti-social behaviour is:

*“Acting in a manner that causes, or is likely to cause harassment, alarm or distress to one or more persons not of the same household as himself/herself.”<sup>5</sup>*

This definition is not mutually exclusive and provides useful parameters to enable the Housing Service to take positive action relating to all complaints of anti-social behaviour, and in our working relationship with the Community Safety Partnership.

Those behaviours or offences that are criminal by definition will continue to be dealt with directly by the Police, and where appropriate, in partnership with the Housing Service. The close working relationship that exists between the Housing Service and the Police may result in joint action being taken by both parties in order that the most appropriate action is taken to deal with the problem. That may involve criminal proceedings being taken by the Police.

## Anti-Social Behaviour – what are the limits to Housing Service Involvement?

People are expected to live and behave in their community in a way that does not cause nuisance or annoyance to any other person. Sensitivities to nuisance or annoyance may vary from one community to another but the Housing Service will take appropriate action necessary to ensure that behaviour which is capable of causing nuisance or annoyance is stopped.

As a Housing Authority, we acknowledge the definition of anti-social behaviour as defined by the Housing Act 1996, sections 153a and 153b (as amended by Section 13 of the Anti-Social Behaviour Act 2003) as conduct which;

- *is capable of causing nuisance or annoyance to any person; and*
- *directly or indirectly relates to or affects the housing management functions of a relevant landlord; or*
- *consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose.*

The Housing Service lists the following as examples of anti-social behaviour with which it may get involved on or around Housing Service property and/or to which tenant, their household or their visitors and friends are involved.

This list is not exhaustive;

- Harassment and intimidation - including hate, homophobic and race related incidents
- Illegal use of housing accommodation, for instance to sell drugs
- Noise nuisance, including shouting, dog barking, burglar alarms, playing amplified music, heavy footfalls and parties
- Aggressive or threatening language and behaviour

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### Footnotes

<sup>5</sup> Crime and Disorder Act 1998, Section 1 (1)

- Violence against people and property, including the possible effects on neighbours of domestic violence
- Youth nuisance, including playing football against property, intimidating behaviour, under age drinking and verbal abuse
- Rubbish dumping or storing and misuse of communal areas of Housing Service property
- Flyposting and graffiti
- Dog fouling

It may not be appropriate for the Housing Service to deal with all incidents of anti-social behaviour. The following are examples where the Housing Service is unlikely to be involved:

- Complaints that are primarily lifestyle or cultural in origin
- Occasional parties where noise is not a significant problem
- Disputes between neighbours (such as a personality clash) where mediation has been refused and there is no alternative action that the Housing Service can take
- Incidents that are purely criminal.

## Tenants' Obligations

The tenant is contractually bound by the conditions of the tenancy agreement or license. The tenancy agreement states that tenants, members of their household and visitors to their home are expected to behave in a way that is acceptable within the community (see Tenancy Agreement). Whenever possible, The Housing Service will work with partner agencies and communities to establish the boundaries of acceptable behaviour and promote and enforce those boundaries.

## Action that can be taken by the Housing Service to deal with anti-social behaviour

Gosport Borough Council Housing Services is sending a clear message to the community about its intention to deal seriously with anti-social behaviour. The Housing Service uses various tools and methods for dealing with anti-social behaviour and these include preventative action, rehabilitative and supportive action, and enforcement action.<sup>6</sup> The action taken by the Housing Service will be proportional to the severity of the anti-social behaviour. Our enforcement efforts will be directed against those whose activities pose the most harm to individuals or communities, and those who have a history of anti social behaviour and nuisance. In some cases, it may not be appropriate for the Housing Service to take any action, for example if the incident is purely a criminal matter, or with a low level case such as a neighbour dispute due to a personality or lifestyle clash and the persons involved have refused the offer of mediation service. The Housing Service will actively encourage complainants to try to resolve minor disputes with a neighbour before the situation deteriorates through effective communication, and will offer mediation where appropriate. However, it is recognised that there may be instances where it may not be appropriate for the complainant to approach the alleged perpetrator, and the Housing Service would consider other courses of action (see Enforcement Policy & Procedure).

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### Footnotes

<sup>6</sup> See 'Housing Key Lines of Enquiry No.6 - Tenancy and Estate Management', Audit Commission, July 2004.

No two incidents of anti-social behaviour are the same. It therefore follows that where Housing Services takes one course of action against an individual or tenant, this should not be seen as a precedent for action in what might appear a similar case subsequently. It may also be appropriate to explore a number of different types of, sometimes apparently contradictory, solutions. For example, when dealing with an issue involving the use of drugs it would be appropriate to take enforcement action but also to offer the rehabilitation and support services to the perpetrators, as well as supporting the witnesses.

The Housing Service has 'mainstreamed' a case management approach to deal with issues of anti-social behaviour, which enables the issues to be tackled comprehensively -while at the same time promoting multi-agency working (see Housing Officer Guide and policies and procedures).

The Housing Service will maintain a proportionate response to the type of anti-social behaviour under investigation. Inevitably, action might be taken that could result in eviction or the arrest of a tenant, their family or visitors to the property. The following is an outline of the tools, which the Housing Service might use, and we reserve the right to take whichever course is most appropriate depending on the type of behaviour, the severity, harm caused to individuals or communities, and the prospects for the modification of behaviour.

## Strategic Objectives

The Housing Service is focused on working towards key objectives within the Council's corporate strategies, in particular the Community Safety Partnership Strategy, and in working in partnership towards the strategic commitments of our partner agencies. This is outlined within our own strategic document (see Housing Strategy and background documents), and delivered through our policies, procedures and initiatives.

Some examples of our strategic commitment include:

- Working with others to achieve mutual objectives to tackle anti-social behaviour.
- Strategic commitment to focus resources: in using existing data on anti-social behaviour collated within Housing Services, we are able to identify areas that require additional resources or monitoring. For example, the current "Seafield Strategy" which builds on the previous, successful, strategy for the area. It identifies an area of need and sets out the Housing Services strategic commitment for improving the area. Tackling anti-social behaviour is a key objective within this document.
- Developing effective partnership working practices. For instance, by agreeing Information Exchange protocols with the Police and others. These set out how we will work with our partner agencies, such as the Joint Housing and Police Protocol and the Joint Council and Police Protocol on Anti-Social Behaviour Orders.
- Securing funding to work with our communities 'on the ground' within the roles of the Housing Service's Community Development Worker and Community Warden; working with the community to deliver preventative or diversionary activities, and enable communities to take control of projects for themselves.

## Preventative Action

The Housing Service believes that a prompt and firm response to incidents of anti-social behaviour is, in itself, a deterrent. However, a key objective to tackling anti-social behaviour is preventative action.<sup>7</sup>

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### Footnotes

<sup>7</sup> See 'Tackling Anti-social Behaviour in Mixed Tenure Areas', chapter 8, ODPM, March 2003.

Gosport Borough Council believes preventative action can be broken down into broadly the following areas:

1. Young People Diversionary Action & Engagement
2. Defining, Creating and Maintaining Acceptable standards
3. Pro-active Support Mechanisms
4. Creating the Right (Physical) Environment

The Housing Service supports these principles through its policies and procedures and housing management functions, taking a proactive approach in preventing anti-social behaviour.

## **Young People, Diversionary Action and Engagement**

The Housing Service strongly believes that identifying with young people and engaging them in diversionary activities can bring about positive attitudes and enable communities to take an active role in promoting acceptable behaviour. A range of initiatives within areas with higher levels of anti-social behaviour currently include youth football teams, after-school art club, after-school homework club, 'Playbus' for youths, junior warden team (with a reward scheme to encourage good behaviour) and a Sunday club. Some initiatives have been extended to other areas within the Borough. In addition, diversionary activities have successfully taken place during school holidays and include organised outings, sports activities, art and craft sessions, a community carnival, and DJ workshops.

This is achieved through working in partnership with the community and other agencies. The agencies working in partnership with the Housing Service to fund and provide activities include;

- Gosport Borough Council's Leisure and Amenities Unit
- Hampshire Police
- Hampshire County Council Youth Service
- Primary Care Trust – '5 a day Initiative'
- Groundwork Solent
- YMCA
- Alverstoke Evangelical Church
- Tenant and Residents Groups
- Youth Inclusion Support Panel
- Connexions

Demonstrating this commitment, Housing Services has a full time Community Development Worker and Community Warden.

- Community Development Worker - The Housing Service Customer Services Team have accessed funding for a part time community development worker, based at the Community House in the Seafield area, from the Children's Fund from August 2003 to March 2006 and have made funds available from their tenant involvement budget to make the post full time. The Community Development Workers' role is to provide help, advice and support to enable local residents to play a full part in developing child-focussed, community based projects as part of a regeneration programme for the area. These activities have also been extended to other areas of the Borough through working closely with the Estate Warden Team, Community Warden, the Council's Leisure and Amenities Unit, and in partnership with other agencies (as listed above).
- Community Warden - The Community Warden post is part funded by a contribution from a Government Office of the South East (GOSE) grant to Gosport Borough Council for Crime and Disorder initiatives, and a Kelsey Housing Association contribution. The Community Warden works across the Borough to assist in prevention of crime initiatives; improve the environment; and in developing the community by

implementing good local housing management initiatives in liaison with other officers and agencies. The Community Warden role also includes implementing Crime & Disorder strategies, and anti-social behaviour initiatives such as creating diversionary activities with the Community Development Worker and other agencies.

## Defining, Creating and Maintaining Acceptable standards

In identifying and sending a clear message about what is 'acceptable' behaviour and what is not, the Housing Service can reinforce those standards. This is achieved in several ways;

- Tenancy agreement clauses – set out what is expected of the tenant and others within their community by clearly identifying behaviour that is not acceptable. The tenancy agreement sets out the tenants' contractual obligations and is used as a method for reinforcing the message when dealing with perpetrators of anti-social behaviour (see Tenancy Agreement).
- Tenant Handbook Advice – identifies types of behaviour and conduct which is anti-social and sets out what action the Housing Service will take to work with perpetrators and witnesses, and enforce the tenancy conditions. The Tenant Handbook assists in reinforcing the message of what is acceptable behaviour, and that it will not be tolerated.
- Sign up procedures – when a new tenant signs the tenancy agreement, the clauses of the tenancy agreement are discussed with the tenant, with particular attention paid to the clauses on anti-social behaviour. The standards are set at the beginning of the tenancy and the tenant advised that the Housing Service would take complaints seriously and take appropriate action if the tenancy conditions have been breached.
- Clear policies and procedures (and training for staff) - the policies and procedures cover a range of methods that include preventative action, supportive and rehabilitative action, and enforcement action, and set out the statutory requirements, service standards and procedures of the Housing Service in dealing with anti-social behaviour. The policies and procedures are easily accessible and can be found in a published central document within Housing Services, and are available on the Council Infonet or Website. An Officer Guide is distributed to staff dealing with anti-social behaviour. The Housing Service believes that training is an integral part of personal development and to enable staff to deal with anti-social behaviour more effectively and ensures that its staff participates in regular training to work in line with good practice and keep up to date with changes in legislation.

(see Officer Guide, Tenancy Agreement, Tenants Handbook, and policies and procedures listed)

- Engaging residents in setting & re-enforcing those standards, by discussing policy and procedures with the Housing Forum, offering training to members of the Tenant and Leaseholder Consultative Framework, and inviting residents to meetings to discuss particular issues as appropriate (see Tenant Participation Compact 2002 and Resident Involvement in Gosport – part of the Housing Strategy).
- Media & Publicity – where possible, the Housing Service will publicise preventative activities and enforcement action taken in dealing with anti-social behaviour using a variety of methods to include promotional leaflets to residents, local press coverage, articles within the tenants' newsletter 'At Your Service', within consultation activities in literature published by tenants and residents groups (see Anti-Social Behaviour and the Media: Policy & Procedure).

## Pro-active Support Mechanisms

Identifying support needs for vulnerable tenants early on, enables the Housing Service to put in place the required support for the individual to assist in maintaining a tenancy, preventing anti-social behaviour or conduct, and reinforcing guidelines about what is acceptable behaviour. This is considered and responded to in the following ways;

- Early warning system to identify potential new tenants – when a potential new tenant applies for housing with Gosport Borough Council or other social landlords included in the Joint Housing Register, the Housing Service will make considered decisions about an applicant before an offer is made. This enables the Housing

Service and its partner landlords to recognise where an applicant may require support to maintain a tenancy, working in the interests of the wider community, to assist in the prevention of anti-social behaviour.

- Contractual tenancies – if appropriate, the Housing Service may provide housing using a contractual tenancy that enables the landlord and partner agencies to assess an applicant and provide support mechanisms to enable a tenant to maintain their tenancy. The contractual tenancy sets out clear guidelines about what are acceptable behaviours and conduct, and the contractual obligations of the tenant and landlord. A contractual tenancy enables the landlord to further assess a tenants ability to maintain their tenancy before they become secure tenants, ensuring that an individual's needs are met and supporting them in understanding and maintaining their contractual obligations. Housing Services currently has a partnership with Southern Focus Trust (SFT) to provide that support and assess progress in an individual's ability to maintain a tenancy.
- Existing Secure Tenancy Support - the Housing Service may make a referral, with the tenants' consent, to Southern Focus Trust, which offers Floating Support to those who require support to maintain their tenancy. Early identification of an individual's support needs can assist in the prevention of anti-social behaviour where an individual has specific needs or are vulnerable. Such support can assist in ensuring that an individual does not become a perpetrator or victim of anti-social behaviour.
- Exchange of information - joint working with agencies on a continuous basis ensures that the information about anti-social behaviour is made available to those agencies that may need to take action.
- Post Tenancy visits – regular home visits to tenants contribute to the reinforcement of tenancy conditions and establish a line of communication between tenant and landlord.

## Creating the Right Physical Environment

In creating the right physical environment, the Housing Service can work with other landlords and contractors to promote environments which make anti-social behaviour and crime more visible, and create estates in which residents want to live and feel confident about reporting acts of anti-social behaviour and crime. This is approached in several ways;

- 'Secure by design' principles – the Housing Service will work with other social landlords within the area in developing new housing to ensure that crime prevention is a key issue in developing new homes, and 'designing out' opportunities for crime and anti-social behaviour in communal areas.
- The capacity for environmental improvements – the Housing Service believes that improvements to the physical environment within its estates will assist in the prevention of anti-social behaviour. Through working in consultation with residents to improve their area, we can encourage a sense of 'ownership' for their environment and promote the message that residents should report incidents such as deliberate damage or vandalism and that immediate action is taken by the Housing Service or the Police. Such environmental improvements may include the development of play provision, developing communal gardens or drying facilities, providing storage for wheelie bins, providing lockable gates to alleyways and, improvements to parking facilities (see Remit for Environmental Improvement Panel).
- Estate management – creating estates that are clean, tidy and attractive is a key element in defining standards and encouraging acceptable behaviour and 'ownership' within the community. The Housing Service:
  - Is committed to ensuring that it works with the community in making their area a place in which they want to continue to live through effective and meaningful consultation with local residents; for example we will consult residents about improvements to their environment, communal areas; or consult on the type of diversionary activities that their community will participate in (see Tenant Participation Compact);
  - Has developed a popular 'Clean & Green' Housing Estate Warden Team who work within our estates to develop and maintain standards; and reinforce acceptable standards of behaviour. For example; ensuring that our estates are not littered; removing bulk refuse quickly to prevent further items being added; undertaking small-scale environmental or security projects; and monitoring anti-social. The

Housing Estate Warden Team also work closely with Hampshire County Council's Accredited Community Safety Officers in patrolling the streets to deal with low level anti-social behaviour and give reassurance to the community.

- Where possible, the Housing Service will work with Environmental Health to deal appropriately with the perpetrators of environmental nuisance.

- Additional security – The Housing Services Crime & Disorder Project “Target Hardening Scheme” allows the Housing Service and the Police to work in partnership for the benefit of council tenants, in delivering security improvements to their home when they or their neighbours have been a victim of crime or are fearful of crime (see annual report on Target Hardening Scheme). Improvements to security within communal areas are also carried out as part of a Planned Maintenance Programme, such as the installation of a door entry system.

## Rehabilitative and Supportive Action

Housing Services believes that taking enforcement action can play an important part in preventing anti-social behaviour, and also in giving perpetrators the chance to change their behaviour. In addition, it is also necessary to put measures in place that will rehabilitate and support perpetrators. Where children are the perpetrators, such measures will usually involve their parents as well.

### **Acceptable Behaviour Contracts (ABCs)**

Acceptable Behaviour Contracts [ABCs] are written agreements voluntarily entered into between the perpetrator, the Council and the Police.

### **Parental Control Agreements**

As with an Acceptable Behaviour Contract, a Parental Control Agreement is an informal contract between the Council and a parent whose child is causing anti-social behaviour.

### **Mediation**

(see Housing Officer Guide)

In cases of low level anti-social behaviour or neighbour nuisance the Housing Service will attempt to mediate between tenants or other residents if it is appropriate to do so.

Mediation is particularly suitable when:

- the relationship between people in dispute is important, for example neighbours;
- both parties are willing to work towards a solution;
- legal action is not appropriate.

Mediation is not suitable when:

- the parties are unwilling to negotiate;
- there is violence or fear of violence;
- legal action is appropriate.

## Referrals to other agencies

Where appropriate, a referral to another agency may be made to assist in the support or rehabilitation of perpetrators, or in supporting witnesses.<sup>8</sup> For example, it may be necessary to provide a service from an agency to an alleged perpetrator with support needs where the behaviour could be modified with input from another agency. The agencies used for rehabilitative and support services include;

- Hampshire County Council Social Services – statutory agency responsible for enforcing laws, which govern the health and welfare of vulnerable adults and children.
- Fareham and Gosport Outreach Service – statutory agency that is able to provide a supportive service to vulnerable adults with mental health issues and can visit a client out of hours if required.
- Southern Focus Trust – agency used for providing floating support to a range of clients; also used to house vulnerable adults within a sub-let tenancy and provide more intensive support.
- Victim Support – agency used to support victims of crime or anti-social behaviour.
- Citizens Advice Bureau – agency used for a range of issues including debt counselling but also able to advise, support and represent perpetrators in Court action.
- Hampshire Police – Crime Reduction Officer is able to make recommendations on improving safety within a complainant or witnesses home to make them less vulnerable.
- Connexions – agency that supports teenagers and offers advice on issues that include sexual health, career guidance, counselling, drugs etc.
- Avalon – agency that provides support to people who are addicted to drugs and/or alcohol. Has some access to rehabilitation programmes.
- Breathing Space – agency that provides support to people who are addicted to alcohol.
- Home Start – charitable organisation providing supportive schemes for young families to assist in the development and welfare of children, and supporting parents.

## Enforcement Action

(see Anti-Social Behaviour and Enforcement Policies and Procedures)

In some cases, it may be necessary to use enforcement action where other measures taken have failed to change the anti-social behaviour, or where the behaviour has remained consistent or become worse. The Housing Service will strive to ensure that action is always fair and consistent. In coming to any decision we will consider the seriousness of the anti-social behaviour and harm to individuals and the community, relevant past history, the consequences of the failure to amend the anti-social behaviour and the likely effectiveness of enforcement options. There are several enforcement tools that are used to stop a particular behaviour, and in some cases it might be necessary to evict a tenant for anti-social behaviour. These tools include:

### Anti-Social Behaviour Orders (ASBO's)

The Housing Service will work with the Council's Central Policy Unit, Hampshire Police and other partners to apply for an ASBO against any perpetrator over the age of ten, where necessary. An ASBO is used to place restrictions on an individual to stop the anti-social behaviour (see Joint Protocol on ASBO's).

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### Footnotes

<sup>8</sup> See Briefing Paper 'Managing Witness Support', Housing Quality Network, May 2004.

## Injunctions

The Housing Service will only use injunctions where it is necessary, for example where there is a use or threat of violence, damage to property and similar circumstance. Injunctions are used to prohibit behaviour, protect witnesses or property, and allow the perpetrator to amend their behaviour without the need for further action. Injunctions may be obtained quickly and without the perpetrator being present in Court, and therefore serve as a useful tool in tackling anti-social behaviour and protecting witnesses.

## Demoted Tenancy Orders

A Demoted Tenancy Order enables the Housing Service to work further with the perpetrator to modify their behaviour, but removes certain benefits of a secure tenancy such as the right to buy their home and the right to exchange their tenancy.

## Possession Orders

In some cases the Housing Service may take the view that the anti-social behaviour is sufficiently serious and damaging to the community (or that the behaviour has remained consistently anti-social irrespective of any action taken), that it is necessary to seek possession of the property and evict the tenant(s).

Housing Services acknowledges the restrictions of such action, in terms of expense, time delays and the pressure it can place on individual witnesses.<sup>9</sup>

When a tenant is evicted because of anti-social behaviour, they may then apply to the housing authority for re-housing. In such cases the Housing Service will decide whether that person(s) and his/her family or household members have made themselves intentionally homeless and, in such circumstances, may decide that it does not have a responsibility to offer permanent re-housing and refuse their application or deduct points.

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## Footnotes

<sup>9</sup> A survey of social landlords determined that possession action was one of the least cost effective ways to deal with nuisance and anti-social behaviour. 'Initiatives by Social Landlords to tackle Anti-social Behaviour', Social Landlords Crime and Nuisance Group (SLCNG), July 2003.

## Service Standards

The Housing Service sets service standards within which officers will work. Where customers feel that we have failed to meet the standards set, we will investigate the complaint in-line with the Council's Complaints Procedure.

### **Equal Opportunities Statement** (see Appendix 1)

The Council's Equal Opportunities Statement promotes our 'commitment to equality of opportunity for all and to removing barriers to equal opportunity' and the Council's responsibility in eliminating discrimination. The Housing Service sets out standards to be implemented in ensuring that the Council's equal opportunities statement is upheld; for example, ensuring that confidential information is treated sensitively or by providing a translation service.

### **Racial Harassment Statement** (see Appendix 2)

The Housing Services commitment to dealing with racial harassment and supporting victims is outlined within the Racial Harassment Statement, and the Housing Services Racial Harassment Policy and Procedure. The set standards to be implemented include for example; ensuring racist graffiti or damage to Council property is made good within 24 hours of the incident being reported or taking legal action against the perpetrator of racial harassment. To ensure that our Racial Harassment Policy and Procedure is effective, monitor incidents and service delivery, the Housing Services participates in the Racial Harassment Forum.

This is just one element in our full compliance with Best Value Performance Indicator (BVPI) 164, which asks the question "Does the authority follow the Commission for Racial Equality's code of practice in rented housing and follow the Good Practice Standards for social landlords on tackling harassment?"

### **Customer Care Charter** (see Appendix 3)

The Customer Care Charter states clearly our general service delivery promise to our customers, within our day-to-day housing management functions, and is displayed within the reception area at the Town Hall. For example, officers will visit people at home if required and a customer can request to see an officer of the same sex in an interview.

## Performance Monitoring and Data Collection

The Housing Service records reported incidents and cases of anti-social behaviour. It records incidents according to:

- Location of incidents; by address, political ward, geographical area
- Type and sub type of incident (see table below)
- Officer time
- Type, volume and cost of actions taken.

It uses this data to monitor the service:

- to identify “hotspots”
- in resource management
- as a cost management process

Housing Services has taken a lead from the Social Landlords Crime & Nuisance Group and has categorised anti-social behaviour in the following way;

Primary Category	Sub-Categories
Noise	Vehicles, Loud Music, Domestic, Animals, Other
General Dispute	Boundary dispute, Animals, Infestation, Gardens, Business
Harassment/Bullying/Intimidation	Property, Verbal, Written, Personal Damage, Physical Abuse, Graffiti
Environmental	Animal fouling, Fly tipping, Abandoned vehicles, Urinating, Graffiti
Animals	Left to roam, exotic animals
Criminal Damage	Vandalism, Damage to property, Arson
Drugs	Drug dealing
General Nuisance	Begging, Youths gathering, Street drinking, Condition of property, Hoax calls
Criminal	All other

The Housing Service also monitors tenant satisfaction with the service after an anti-social behaviour case is closed, to see where the service can be improved, and check that our policies and procedures are effective.

## Exchange of Information and Witness Confidentiality

Gosport Borough Council (including the Housing Service) and the Police have the power to exchange information about individuals if it is needed to deal with anti-social behaviour.

Gosport Borough Council and the Police work together on a daily basis to exchange information where necessary and meet regularly to focus on those individuals who have become a priority for action (see Joint Housing and Police Protocol; and Joint Protocol on ASBO's).

Complainants, witnesses to, and victims of, anti-social behaviour will have their identity concealed as far as it is practicable to do so. It is often sufficient for the evidence of Housing Officers or Police Officers to be accepted in Court without the need for complainants, victims or witnesses to be present. Nevertheless, the Housing Service will hope to persuade victims or witnesses to give their own statements and attend Court and, in that respect, we will support those individuals through the Court process in an attempt to prevent further distress or harassment (see Anti-Social Behaviour and Enforcement Policy; and Policy and Procedure for Supporting Complainants, Witnesses and Perpetrators of Anti-Social Behaviour).

The Housing Service recognises the need to give priority to support complainants, victims and witnesses and will involve other agencies if, with the individual's agreement, it is considered appropriate. That additional support may come from the Victim Support Service, the Police and Hampshire County Council (in particular Social Services and Education) or Southern Focus Trust and we may need to exchange information about that individual in the interests of meeting their support needs.

The Freedom of Information Act 2000 and the Data Protection Act 1998 set out guidelines allowing individuals to request to see information kept on file. There are some restrictions on what information is accessed, for example, perpetrators of anti-social behaviour are not allowed to see casework reports from social services or complaints from other residents about their behaviour. All requests for access to a file must be received in writing and are referred to the Council's Data Protection Officer before the person requesting to see their file is invited to view the file with a senior officer from the Housing Service.

## Media Policy

(see Anti-Social Behaviour and the Media: Policy & Procedure)

The Housing Service considers it important to ensure that communities understand the progress that is being made, and the successes that are achieved, in dealing with anti-social behaviour.<sup>10</sup> The Housing Service will adopt a positive approach to publicising the details of successful legal action taken against perpetrators of anti-social behaviour. This may include the distribution of publicity in the community, possibly with photographs and other details of the offenders. The Housing Service believes this is an effective way to encourage the community to monitor behaviour of offenders.

The Housing Service will also ensure that new methods and initiatives combating anti-social behaviour will be publicised in order that the community can scrutinise the performance of the Service and the local authority.

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### Footnotes

<sup>10</sup> See 'Tackling Anti-social Tenants: A Consultation Paper', section 2, DLTR, April 2002.

## Partnership and Inter Agency Working

Housing Services recognises that this commitment can only be delivered if it works with key partner agencies (both strategically and operationally), which work specifically within the Gosport area and Hampshire in general. Those agencies include;

- Other Units within the Council such as Leisure Services, Environmental Health Services
- Hampshire Police
- Hampshire Fire and Rescue
- Hampshire County Council's Education Services
- Hampshire County Council's Social Services
- Hampshire County Council Youth Service
- Hampshire County Council's Accredited Community Safety Officer Scheme
- The Probation Service
- Southern Focus Trust (floating support service)
- Citizens Advice Bureau
- Victim Support
- Other social housing providers within the Borough of Gosport including Portsmouth Housing Association, Warden Housing Association, Kelsey Housing Association
- Groundwork Solent
- YMCA
- Alverstoke Evangelical Church
- Tenant and Residents Groups
- Youth Inclusion Support Panel
- Connexions
- Tenant and Residents Organisations within the Borough of Gosport
- Primary Care Trust – '5 a day Initiative'

### **Working with other Social Landlords and Cross Tenure Initiatives<sup>11</sup>**

The Housing Service is committed to working in partnership with other Registered Social Landlords through the Social Housing Partnership. We will endeavour to work with landlords in the private rented sector using whatever legislative powers are available, to ensure the highest standards of management of private rented properties and attempt to prevent anti-social behaviour throughout the rented housing sector in Gosport.

The principles established for cross tenure working are:

Depending on the nature of the anti-social behaviour Housing Services would become involved in cases, if:

- There are direct victims that are council tenants.

OR

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### Footnotes

<sup>11</sup> See 'Tackling Anti-social Behaviour in Mixed Tenure Areas', ODPM, March 2003.

- There are perpetrators that are positively identified as either Council tenants or residing in council property.  
AND
- The Housing Services had a direct material interest in the resolution of the issues as a service to its own tenants and their welfare.  
OR
- For the direct protection of Housing Services assets.  
AND
- That the involvement and anticipated expenditure of Housing Services is proportionate to the anti-social behaviour being complained about.  
AND
- There is not a more appropriate organisation to deal with the issues. (By way of example if it involved 1 council tenant and 40 Housing Association tenants, the expectation would be that the Housing Association would take the lead).

The Housing Service also operates a common register of housing applicants for all the social housing providers in the Gosport district that have joined the Social Housing Partnership. All new social housing tenancies created through this policy are subject to the provisions of this policy. The policy has been devised so that applicants for council accommodation who have a history of unacceptable behaviour may be deemed to be unsuitable as a tenant of Gosport Borough Council, or any other member of the Social Housing Partnership (see Joint Housing Register Policy and Procedures).

## **Racial Harassment Forum**

The Racial Harassment Forum is a meeting of partner agencies who share information and good practice in dealing with racial harassment across the Borough, and use the forum to monitor incidents and service delivery. Housing Services is actively involved with the Forum and works with other attendees which includes:

- Hampshire Police
- Portsmouth Housing Association
- Citizens Advice Bureau
- Victim Support
- Youth Service
- Education Service – both local schools and college
- Job Centre
- Prison Service
- Gosport Voluntary Action
- Portsmouth Chinese Association
- The Council's Environmental Health Section
- The Council's Economic Regeneration Section.

## **Domestic Abuse Forum**

The Fareham and Gosport Domestic Abuse Forum is a 'cross-district' meeting of agencies who deal with

domestic abuse within the Boroughs and link to the countywide Hampshire Domestic Abuse Forum. The Forum meets to discuss for example, information relating to policy and procedure, joint protocols, monitoring incidents and service delivery and good practice. Other members of the Fareham and Gosport Domestic Abuse Forum include:

- Fareham Borough Council (including representation from their Housing Services Unit)
- Hampshire Police
- Fareham & Gosport Family Aid
- Youth Service
- Naval Personal & Family Service
- Social Services
- Portsmouth Housing Association
- Warden Housing Association
- Probation Service
- Citizens Advice Bureau
- Family support worker – local school
- Victim Support
- Representation from the Primary Care Trust (for example, health visitor and representative from the Haslar Treatment Centre)
- The Hampton Trust.

## **Gosport Local Strategic Partnership (LSP)**

The Gosport Local Strategic Partnership is a unique group of local organisations, agencies, voluntary and community groups who work together to deliver the priorities of our communities. Housing Services is represented within the Local Strategic Partnership Housing Sub-Group, which reports to the LSP via its Chair (who also attends the LSP).

## **Local Strategic Partnership Housing Sub-Group**

Housing Services is part of the LSP Housing Sub-Group and meet to develop the housing role within the Community Strategy as well as to discuss broader housing priorities throughout the Borough and surrounding areas, share information, monitor progress and make recommendations to the LSP. As well as Housing Services, the following agencies are members:

- Social Services
- Hampshire Police
- Citizens Advice Bureau
- Neighbourhood Watch
- Victim Support
- Portsmouth Housing Association – and other RSL's operating in Gosport
- Southern Focus Trust

- Fareham and Gosport Family Aid
- Residents Associations
- Housing Forum
- Local church groups

## **Gosport Community Safety Partnership – part of the Local Strategic Partnership**

The Gosport Community Safety Partnership is a key element within the broader Local Strategic Partnership. The Gosport Community Safety Partnership was established in 1993 to address crime prevention and community safety issues in the borough. The following agencies are key members:

- Hampshire Police
- Gosport Police
- Hampshire County Council
- Gosport Borough Council
- Gosport Business Initiative
- Royal Naval Provost
- Gosport Victim Support
- Gosport Neighbourhood Watch
- Hampshire Probation Service
- Hampshire Drug Action Team
- Gosport Voluntary Action
- Royal Navy
- Youth Justice Service
- Gosport Fire and Rescue
- Crown Prosecution Service
- Magistrates Courts Committee
- Hampshire County Council (Education)
- Gosport Primary Care Group

## **The Gosport Community Safety Partnership Leadership Group**

The Gosport Community Safety Partnership Group is responsible for the preparation of the Gosport Crime and Disorder Audit and Strategy, and comprises:

- Gosport Borough Council
- Hampshire Police
- Hampshire County Council
- Primary Care Trust
- Hampshire Fire and Rescue

## Listed other relevant documents to support the Housing Services Statement on Anti-Social Behaviour

- Anti-Social Behaviour and Enforcement Policy and Procedures
- Racial Harassment Policy and Procedures
- Domestic Violence Policy
- Policy and Procedure for Supporting Complainants, Witnesses and Perpetrators of Anti-Social Behaviour
- Anti-Social Behaviour and the Media: Policy and Procedure
- Housing Officer Guide
- Police and Housing Joint Protocol
- Joint Protocol on Anti-Social Behaviour Orders
- Management Re-housing Policy
- Gosport Borough Council Equal Opportunity Policy
- Joint Housing Register Policy
- Crime and Disorder Strategy 2002-2005
- Housing Strategy
- Tenancy Agreement
- Tenants Handbook
- Customer Information leaflets relating to Anti-Social Behaviour

APPENDIX 1 – Racial Harassment Statement

# HOUSING SERVICES COMMITMENT TO VICTIMS OF RACIAL HARASSMENT

Housing Services is positively committed to providing support to the victims of racial harassment.

Racial harassment is an act committed against an individual because of her/his racial or ethnic origin that interferes with the peace and comfort of that individual to the detriment of their quality of life.

Our policy applies to incidences of racial harassment involving Council tenants or any members of their household.

The objective is to provide support for the victim of racial harassment and, where possible, to take action against the perpetrators.

The Council's overriding consideration when dealing with cases of racial harassment is the safety and peace of mind of the victim and the victim's household.

It is Council policy to encourage victims of racial harassment to remain in their own homes.

The Council is committed to the monitoring of all incidences of racial harassment.

**To uphold this commitment, Housing Services staff will -**

- In response to a report of racial harassment offer victims the option of a home visit.
- Within 24 hours if the incident involves violence or threats of violence.
- Within 5 working days for other incidents.
- Make every effort to confirm the victim's account of racial harassment.
- Ensure that office interviews take place in private and in a sympathetic manner. They will also ensure that interpreting and translation facilities will be made available where necessary.
- Make good all physical damage to Council property (including racist graffiti) within 24 hours.
- Provide practical support and assistance where the victim wishes to remain in their own home. This could include increased security measures such as the installation of spy holes; secure letterboxes and window locks, and alarms.
- Will consider transferring to new accommodation a priority and every effort will be made to find a property of the same size, and the same quality and desirability as their existing property.
- Work in conjunction with the Police to prosecute perpetrators of racial harassment and may take legal action on behalf of a victim if the victim is a Council tenant or a member of a tenant's household however, this will only be done with the victim's agreement.
- The Council will give every possible support to the victim and witnesses.
- Where the person(s) responsible for the racial harassment is a Council tenant or a member of a tenant's household, use all legal remedies available to it, including re-possession their property. Perpetrators of racial harassment will be suspended from the Council Housing waiting list for a minimum of one year.

# EQUAL OPPORTUNITIES STATEMENT FOR THE PROVISION OF ALL SERVICES

The Council is committed to equality of opportunity for all and to removing barriers to equal opportunity. The Council fully recognises and accepts its responsibility to ensure that there is no discrimination. All individuals will be treated fairly and equally, and all on the grounds of a person's gender, marital status, race, religion, colour, age, disability or sexual orientation.

Relevant legislation will be complied with, in the provision of its services, and in arrangements for access to facilities and information.

The Council will ensure that:

- All staff are trained to provide an appropriate and informed response to all service users without unlawful discrimination.
- Recruitment and selection methods are free from bias and applied fairly.
- Any complaints of discrimination are dealt with speedily and fairly.
- Confidentiality of information is maintained at all times

**To uphold this commitment, Housing Services staff will -**

- Ensure that confidential interviewing facilities are available on request. If you want to be interviewed by someone of the same sex, this will be arranged
- Treat confidential information such as medical details with the utmost sensitivity
- Make available a translation service through 'Language Line' with access to over fifty languages, immediately on the phone.
- Make available signing provision for those with difficulty hearing.
- Make sure that disabled residents are told about our home visit service.
- Be aware that some people have reading and writing difficulties. All our staff will be trained to recognise customers who may be embarrassed to admit their
- Difficulties and to assist them in a polite and sympathetic manner. We will always be willing to read documents to residents and to complete forms so that they only have to sign them.
- Make available key documents in Braille, in large print and on tape.
- Ensure relevant surveys and questionnaires have questions on race, sex, disability in order to assess whether some groups are receiving a less satisfactory service than other groups.
- Remove racist or sexist graffiti within 24 hours from our property.
- Pursue the eviction of tenants who breach their tenancy agreement by racially or sexually harassing their neighbours.
- Support the victims of racial, sexual harassment and domestic violence by a range of measures including provision of additional security measures and re-housing if necessary.
- Actively seek the views of all groups in the community on whether the service is meeting their needs and asking how they feel the service can be improved.

**Our commitment is backed by training programmes for all staff on both general awareness of equal**

**opportunities and specialist areas such as racial harassment.**

If you feel that you have been treated unfairly or suffered harassment because of your gender, marital status, race, religion, colour, age, disability or sexual orientation, you are urged to report this to us.

Any such complaints will be fully investigated as speedily as possible, and you will be kept advised of action taken.

If you are dissatisfied with any decision, you have the right to use the Council's formal Complaints Procedure, and to take the matter up with the appropriate external body.

## Customer Care Charter

The Council is committed to its customers. To uphold this commitment, Housing Services staff will make sure that -

- We will be friendly, polite and helpful
- You should not have to wait more than 5 minutes to see a housing officer if you have an appointment, or 15 minutes to see the duty officer if you do not have an appointment. If you wait longer please let us know.
- We will always wear a clear name badge.
- You should leave the office knowing the action we will take. If requested, we will provide written confirmation of our decision.
- If you are reporting a repair we will let you know either the pre-inspection arrangements or when the repair will be carried out. For most repairs, we can arrange an appointment.
- We are willing to visit you at home.
- We will, upon request provide a private interview in an interview cubicle or an interview by a member of staff of the same sex as yourself.
- If you request a translation, we will provide one.
- We will answer the telephone politely and helpfully within 5 rings.
- We will answer letters politely, helpfully and in plain English within 10 working days

*If you believe that we have not met these standards you may ask for an appointment with a senior officer to discuss where you think we have failed. If you think we can do better, tell us your ideas - we want to improve.*