



High Peak Borough Council

Anti-Social Behaviour and Harassment Policy

Introduction

High Peak Borough Council provides a Tenants' Handbook and Tenancy Agreement which defines the tenant's rights and responsibilities with regard to anti-social behaviour (ASB) and harassment:-

You are responsible for your own behaviour and the behaviour of every person (including children) living in or visiting your home. You are responsible for them:-

- *in your home;*
- *on the land around your home;*
- *in shared areas (including stairs, lifts, landings, entrance halls, paved areas, shared gardens, parking areas and so on); and*
- *in the neighbourhood around your home including any streets and any public buildings (for example council offices, High Peak Borough Council offices, libraries, schools, shopping centres, community centres and so on).*

You, anyone living with you (including children) or anyone visiting your home must not cause a nuisance to, annoy or disturb someone else. Examples of things that can cause a nuisance, annoy or disturb someone else:-

- *Using or threatening to use violence*
- *Behaviour that is a 'hate incident' or 'hate crime'*
- *Playing loud music that people can hear outside your home*
- *Banging and slamming doors*
- *Damaging property*
- *Using drugs and drinking alcohol*
- *Playing ball games close to properties*
- *Skateboarding, rollerblading, cycling, riding mopeds or mini motorbikes on walkways, paths and in other shared spaces*
- *Dumping rubbish, littering and fly-tipping*
- *Being aggressive*
- *Dogs barking and dog mess*
- *Criminal activity in or around properties*
- *People gathering and standing around in the street*
- *Spraying or writing graffiti*
- *Vandalism*
- *Throwing objects out of windows or off balconies*
- *Prostitution*
- *Not controlling pets*
- *Not controlling children living at your home*
- *Using airguns and fake guns in and around your home or on walkways, paths and other shared areas*

You and anyone living with you or visiting your home must not harass any other person. Examples of harassment include:-

- *A hate incident or hate crime – This is a specific type of harassment, committed against a person or their property because of their:*
 - *ethnic background;*
 - *nationality;*
 - *sex or sexual identity;*
 - *sexuality; or*
 - *disability.*
- *Harassment committed against a person because:*
 - *of their age;*
 - *they are married or in a civil partnership; or*
 - *they are pregnant.*
- *Using or threatening to use violence.*
- *Using abusive or insulting words or behaviour.*
- *Damaging or threatening to damage another person's home or belongings.*
- *Writing threatening, abusive or insulting graffiti.*
- *Doing anything that interferes with the peace, comfort or convenience of other people.*

You and anyone living with you must not be violent or threaten to be violent towards any other person (whether they are living with you or in another property in the area). You or anyone living with you must not harass or abuse (mentally, emotionally or sexually) anyone or force anyone who lives at the property to leave home.

You and anyone living with you (including children) must not be convicted of an offence committed in, or in the area around, your home. We will treat the following offences very seriously.

- *Criminal damage*
- *Drugs*
- *Harassment*
- *Violent offences, including sexual offences*
- *Theft and fraud*

You, anyone living with you (including children) and anyone visiting your home must not use your home or the area around it for anything illegal, such as prostitution, selling, storing, growing or manufacturing drugs, or selling or storing stolen goods.

You must make sure that you do not allow or encourage other people living with you, or visiting your home, to behave as described in paragraphs 2.5b to 2.5f above.

You and anyone living with you must not make false or malicious complaints about the behaviour of another person.

Aims and Objectives

- To ensure best use of the Council's limited housing stock
- To comply with all relevant current and future legal and statutory requirements
- To provide clear and relevant information to customers regarding their rights and responsibilities and those of HPBC as landlord
- To ensure that the terms and conditions of tenancy agreements are complied with, for the benefit of HPBC, customers and the wider community
- To ensure that those who wilfully breach their tenancy are dealt with proportionately and consistently
- To operate with a firm and consistent approach
- To deliver our service in accordance with the Respect Charter
- To resolve problems of ASB and harassment in accordance with the objectives of the Community Safety Partnership (CSP)

- To operate in accordance with the Data Protection Act 1984.

Operational Principles

The Council will:

- treat all complaints of ASB and Harassment seriously and investigate them promptly in a sympathetic, firm and impartial manner
- respect the confidentiality of all tenants and customers involved in ASB and harassment cases at all times
- ask customers to support us in resolving the nuisance behaviour problem by keeping records of events and in extreme cases, giving evidence in court
- provide a range of support to victims and witnesses and work with other partners and key agencies to make improvements in safety and security where appropriate and possible
- take account of the needs of vulnerable tenants and those with sensory or physical disabilities when managing cases of ASB and harassment
- work collaboratively with relevant agencies to share information in accordance with the law and good practice to protect our customers and communities
- maintain accurate contemporaneous case records
- ensure that all new and existing tenants are made aware of their tenancy obligations in terms of ASB and harassment
- develop an agreed action plan with the complainant and partners where relevant, this will include a named point of contact, key actions, timescales, feedback process, contacts, objectives and outcomes required for resolution
- provide regular feedback to complainants about progress being made towards resolution of the case
- use an appropriate range of statutory and operational good practice methods to monitor and manage ASB and harassment
- proactively promote independent mediation as a tool to resolve ASB and harassment cases
- use enforcement action to manage ASB and harassment where proportionate, appropriate and necessary
- provide information relating to the management of ASB and harassment simply, clearly and understandably to customers and key stakeholders
- review ASB and Harassment cases regularly and use this to improve and develop our performance and proactive case management
- ensure that all employees receive regular comprehensive training and guidance to equip them with the skills and knowledge necessary to effectively deal with ASB and harassment
- regularly review our performance monitoring systems
- engage and consult with residents and other key stakeholders to develop, deliver and review our procedures and strategy.
- use customer feedback to inform and improve the service we provide to those experiencing issues relating to ASB and harassment

Monitoring

Reports will be presented to the relevant Committee meetings to illustrate how the ASB policy is being implemented, monitored and measured and how performance targets are being met at least annually.

Responsible Person/s

The Head of Homes and Communities has overall responsibility for the implementation of this policy.

Review Date

- Every three years
- or on the introduction of new legislation/guidance
- or at the request of the Housing Select Committee
- or at the request of the Tenant Scrutiny Panel.