

Your guide to Anti-Social Behaviour

Putting People 1st

This document provides a brief overview of our approach to antisocial behaviour. Our anti-social behaviour policy (available on our website www.pineview.org.uk or by contacting us) applies to tenants, owners, sharing owners and their household members.

Pineview's commitment on anti-social behaviour

- ✓ We are committed to ensuring that our residents live in a well-kept and safe environment.
- ✓ We recognise the rights of our tenants and their neighbours to peaceful enjoyment of their homes.
- ✓ We expect our tenants to respect the values and lifestyles of others within the community and to act reasonably and with consideration for others.
- ✓ We will use all powers available to us to deal effectively with incidents of anti-social behaviour caused by or affecting our tenants.
- ✓ Where appropriate, we will work closely and co-operate with other agencies whose functions and remits extend to dealing with any aspects of anti-social behaviour.

Defining Anti-Social Behaviour

Anti-social behaviour can mean different things to different people. It can involve incidents ranging from minor nuisances up to serious violence and intimidation.

The Anti-Social Behaviour (Scotland) Act 2004 states:

'A person engages in anti-social behaviour if he / she:

- a) Acts in a manner that causes or is likely to cause alarm or distress: or
- b) Pursues a course of conduct that causes or is likely to cause alarm or distress, to at least one person who is not of the same household'

'Conduct includes speech and a 'course of action ' must be conducted on at least 2 occasions.

In practice, therefore, anti-social behaviour covers a wide range of actions and behaviour including, but not limited to, the following:

- ⊗ Harassment and intimidating behaviour
- ⊗ Behaviour that creates alarm, distress or fear
- ⊗ Noisy neighbours
- ⊗ Drunken and abusive behaviour
- ⊗ Vandalism, graffiti and other deliberate damage to property
- ⊗ Nuisance from vehicles, including parking and abandonment
- ⊗ Dumping rubbish and litter
- ⊗ Failure to control animals and pets
- ⊗ Using your home for illegal purposes e.g. drug dealing
- ⊗ Discrimination

Some breaches of the Association's Tenancy Agreement, such as failure to maintain garden areas satisfactorily, may not initially be classed as anti-social behaviour but actioned under the Association's estate management policy / procedures.

Complying with your tenancy agreement

It is important that you and any members of your household have consideration for your neighbours and their right to live safely and peacefully. This includes making sure that you are not too noisy and that you keep tidy any shared areas you are responsible for, such as your garden or close landing.

Your tenancy agreement explains what we expect of you as a tenant and if you adhere to this it will help you to be a good neighbour. It is very important that you read your tenancy agreement and adhere to it at all times.

How to discuss problems with your neighbour

We hope you will be able to enjoy your home without any difficulties or issues. However, if you feel a neighbour is acting unreasonably, we would recommend you try to discuss the issue with them before you contact us. This can often sort the problem out quickly and help to stop any problems getting worse.

Your neighbour may not be aware that they are causing distress, or know if their children are misbehaving or the dog is barking when they aren't at home. It is important that you are prepared to listen to their point of view and look for a compromise if you don't agree with them.

If you are not comfortable doing so or speaking to your neighbour does not resolve the problem, please contact our Housing Services team for assistance and advice.

Taking Complaints Seriously

All reports of anti-social behaviour will be taken seriously and individuals will be provided with the opportunity to discuss their concerns with staff.

It is not necessary for initial complaints to be made in writing; however, we will provide forms to complainants to assist in this and to ensure that records of complaints are accurate. Verbal reports of complaints which are received and recorded by staff may need to be signed by the persons making the complaints.

We will often need evidence in order to take action against someone who is behaving anti-socially. It is important that you give us as much information as possible when reporting an issue to us. It may help to keep a diary of all the incidents to record what has been seen or heard. In serious cases you may be required to give evidence in Court.

Anonymous complaints will be followed up where the matter is serious and there is independent evidence – e.g. obvious vandalism, damage or graffiti to a property – available to the Association. We acknowledge that anonymous complaints are sometimes an indication of fear of reprisal or intimidation.

Dealing with your complaint

We will:

- ✓ Deal with your complaint as quickly as possible.
- ✓ Contact the person(s) complained about. We will work with them to resolve the problem, issue appropriate warnings and take any necessary action.
- ✓ Keep any information you give us strictly confidential.
- ✓ We will ask for permission if we need to share your information with another agency.
- ✓ If legal action is required we may disclose information to the defendant or their solicitor. We will only do this with your permission.
- ✓ Work with other agencies (e.g. Police Scotland, Environmental Health, Social Work Services, Glasgow Community Safety Services etc.).
- ✓ Keep you informed of progress.

Responding to Complaints

We will respond promptly to complaints of anti-social behaviour as we recognise that a speedy response can often result in issues being resolved before they escalate into more serious incidents.

In dealing with reports of anti-social behaviour we will log all reports or complaints and will provide an acknowledgement within 24 hours of receipt.

We will carry out investigations in accordance with the timescales listed below, which may include escalating a case if it becomes more serious.

Complaint Categories and Timescales

Extreme / Very Serious Complaints (Category A)

Category A complaints relate to extreme forms of anti-social behaviour and includes certain types of criminal behaviour such as drug dealing, those involving incidents of violence or threats or violence towards any members of the public / staff, serious assault, serious harassment, racial harassment, incidents of sectarian abuse and serious damage to property including fire raising.

Although behaviour which is criminal in nature is entirely within the remit of Police Scotland, certain action may also be able to be taken by the Association.

Serious Complaints (Category B)

Category B complaints are of a more serious anti-social nature such as excessive and frequent/persistent noise, vandalism and damage to Associations property, aggressive abusive behaviour, verbal and/or written harassment and misuse of drugs.

Nuisance, Environmental Issues or Disputes (Category C)

Category C complaints include low level neighbour disputes and other breaches in tenancy conditions such as stair cleaning, garden maintenance, rubbish dumping (these may be initially dealt with under our estate management policy as applicable), as well as infrequent noise, control of pets and family disputes.

It is recognised that it is unlikely that all complaints will fit neatly within one category and previous case history as well as the nature of complaints will be taken into account when categorising.

		Target to commence investigation	Target for resolution / course of action
Category A	Extreme / Very Serious	Within 1 working day	3 working days
Category B	Serious	Within 1 working day	3 working days
Category C	Nuisance / Environmental Issues / Dispute	Within 3 working days	5 working days

Drug Use and Drug Dealing – Zero Tolerance Policy

While each case will be considered on its merits, if you or any person living in, or visiting your home, is convicted of using or allowing the property to be used for immoral or illegal activity - this includes the use, cultivation or supply of drugs- we will seek legal advice in order to recover the property.

We will normally seek eviction in cases where you or members of your household have been convicted of the sale or supply of drugs to others in their communities.

Domestic Abuse

Domestic abuse is the physical, mental and / or sexual abuse of a man or woman by someone with whom he / she has been in a relationship.

Domestic abuse also affects the children living in the home and there are links between domestic abuse and all forms of child abuse.

We will take a supportive, non-judgemental and positive approach to all persons who ask us for help and advice on domestic abuse.

We will treat complaints seriously, sensitively and in complete confidence.

We will not ask for evidence of violence or abuse but if you can offer any information or documents which could help with investigating the complaint, these could be very useful and we will accept them.

We will make sure that your home has the appropriate security precautions and treat any repairs required to make the property safe as emergency repairs.

We will also assist you in obtaining temporary housing or suitable permanent accommodation as appropriate.

We would encourage you to seek help from a specialist support agency and can provide contact details.

Please see our Domestic Abuse Policy for more information.

Anti-social behaviour noise service

If you have a problem with noise nuisance, you can contact Glasgow City Council Out of Hours Noise Team who are available on 0141 287 6688 7 days a week 5pm – 3am.

Remedies

Except in cases of serious criminal activity or persistent serious anti-social behaviour we will attempt to achieve a resolution without recourse to legal action.

This will be done with reference to the terms of the Tenancy Agreement and by working with appropriate voluntary and statutory agencies such as Mediation Services, Police Scotland, Environmental Services, etc.

Measures such as warnings/advice, Acceptable Behaviour Agreements, Unacceptable Behaviour Notices and Good Neighbour Agreements will be used where appropriate.

Where preventative or management approaches fail to resolve cases then more formal action will be considered. The legal remedies which the Association might pursue include the following:

- ✓ Interdict / Interim Interdict
- ✓ Specific implement
- ✓ Seizure of equipment causing noise
- ✓ Anti-Social Behaviour Orders (ASBO)
- ✓ Short Scottish Secure Tenancy
- ✓ Repossession Court Action (considered as a last resort and only after other options have been considered / exhausted)

Repossession

If you are responsible for repeated and serious anti-social behaviour, we will take appropriate action to try and sort out the problem. If this doesn't work, we will start court action to evict you.

Before we do so we will consider the following:

- ✓ The form of anti-social behaviour, how often it happens, and for how long.
- ✓ The seriousness of the behaviour.
- ✓ The effect the behaviour is having on any person other than you.
- ✓ Any sanctions we have taken already to stop the behaviour.

Support to Victims

Support, including regular feedback/updates on action taken or progress of cases, will be provided to the victims of anti-social behaviour.

This feedback may include advice on the limitations of the Association's powers to deal with specific incidents or circumstances and on the most appropriate alternative agency to be contacted or involved.

Other Agencies

Glasgow City Council, Out of Hours Noise Team

They deal specifically with domestic noise issues and have noise measuring and recording equipment.

0141 287 6688 (7 days, 5pm to 3am)

glasgow.gov.uk/reportnoise

Police Scotland

Police Scotland has powers to remove equipment that is being used to cause excessive noise.

101 for non-emergencies; 999 for emergencies

scotland.police.uk

Crimestoppers

You can give information anonymously

0800 555 111

Crimestoppers-uk.org

Victim Support Scotland

Free confidential, emotional and practical support

1800 161 1985, Monday – Friday ,8am – 8pm

victimsupport.scot

Scottish Women's Aid

Domestic abuse and forced marriage helpline

0800 027 1234

Womensaid.scot

Please let us know what you think

We always welcome feedback from our customers. If you would like any further information about our approach to anti-social behaviour or any other matter, please simply contact us by:

- ✓ telephoning 0141 944 3891 to speak to a member of our team.
- ✓ texting us on 0741 834 7038 and a member of our team will call you back.
- ✓ emailing us at mail@pineview.org.uk
- ✓ use our Contact Us form on our website www.pineview.org.uk/contact-us/
- ✓ find us on Facebook www.facebook.com/pineviewhousing or
- ✓ writing to us at Pineview Housing Association, 5 Rozelle Avenue, Glasgow G15 7QR.



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