



NOTTINGHAM CITY HOMES

ANTI-SOCIAL BEHAVIOUR,

DOMESTIC ABUSE AND

HATE CRIME

POLICY

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ANTI-SOCIAL BEHAVIOUR, DOMESTIC ABUSE AND HATE CRIME POLICY

POLICY SUMMARY

This policy applies to all employees and customers of Nottingham City Homes.

Nottingham City Homes takes an uncompromising stance to all aspects of anti-social behaviour. We are committed to ensuring that our tenants and leaseholders are able to enjoy peace, quiet and security in and around their homes. To fulfil this commitment we have adopted the following practices in the delivery of the anti-social behaviour policy:

- To demonstrate by our actions that we will not tolerate anti-social behaviour and will make this absolutely clear to tenants and to any person who is seeking a tenancy with Nottingham City Homes.
- We will take timely and consistent action to tackle all forms of anti-social behaviour at the earliest opportunity.
- All reports of anti-social behaviour will be formally acknowledged within one working day of their receipt and will be fully investigated in line with service standards that have been agreed with our customers.
- Investigations will seek to identify and interview all interested parties.
- Interviews with complainants will be supportive and empathetic and will be victim / witness centred.
- Responses will, as necessary and appropriate, move from advice, conciliation and support for tenants' own action, to intervention and legal action directly by Nottingham City Homes or by Nottingham City Council on behalf of victims of anti-social behaviour.
- We will provide or arrange support for all victims and witnesses of anti-social behaviour.
- Where identified and with the agreement of the complainant we will interview all alleged perpetrators who will be informed of the allegations being made and invited to give their response.

An exception to this is where there has been actual violence or the threat of violence or other serious incident when we will seek immediate injunctive relief through the court without notice to the alleged perpetrator.

- Counter allegations from alleged perpetrators will be investigated, but will not be allowed to delay any appropriate action that is required to stop the anti-social behaviour.
- Action against perpetrators will include, but is not limited to Acceptable Behaviour Contracts, Injunctions, Anti-social Behaviour Orders and Possession proceedings.
- The importance of multi-agency working is fully recognised by Nottingham City Homes and we will therefore work in partnership with key agencies, including the Police, Community Protection, the Crime and Drugs Partnership and Nottingham City Council.
- We are committed to engaging fully with Neighbourhood Policing and Neighbourhood Management.
- Our employees are provided with regular training and have access to procedures to ensure they provide an excellent service and are effective in tackling the problems caused by anti-social behaviour.

1. Introduction

Nottingham City Homes Limited (NCH) is a not-for-profit organisation incorporated as a company limited by guarantee. Its sole shareholding member is Nottingham City Council. The Company was set up to manage the housing stock of the Council. NCH has the delegated authority to deal with incidents of anti-social behaviour which affect the housing management function.

Preventing and tackling anti-social behaviour is a priority for Nottingham City Homes. Our tenants and leaseholders have informed us through surveys, Focus Groups and Forum that this is a priority concern for them. Left unchallenged, we recognise that anti-social behaviour can have a significant detrimental impact on their lives.

This policy sets out how Nottingham City Homes intends to prevent anti-social behaviour or intervene promptly when it does occur and take firm action against persistent perpetrators. The policy provides officers and our customers guidance on what we should do with regard to complaints of anti-social behaviour from or in relation to council tenants, people living with them or visitors to their home.

We review these standards annually and involve customers in this process. We also monitor our performance against these standards, reporting to the Nottingham City Home's Board and publish the results in our customer newsletters.

Nottingham City Homes has signed up to the government's "Respect Standard for Housing Management". This draws on best practice and outlines the core components essential to tackling anti-social behaviour and building stronger communities.

Nottingham City Homes recognises that anti-social behaviour must be tackled in partnership with others, such as Nottingham City Council, Nottinghamshire Police and the Crime and Drugs Partnership. This policy acknowledges and complements the strategies of partner agencies for dealing with crime and anti-social behaviour.

Nottingham City Homes has a statutory obligation to ensure that policies and procedures comply with the following:

- Anti-social behaviour Act 2003
- Housing Acts 1985, 1996 2003, and 2004 (as amended)
- Children Act 1989
- Disability Discrimination Act 1995
- Local Government Act 2000
- Homelessness Act 2002

2. PURPOSE OF POLICY

The purpose of this policy is to ensure Nottingham City Homes has fair, transparent and consistent standards in relation to anti-social behaviour. It aims to be comprehensive, clear and accessible to all our tenants, leaseholders, service users and other customers. It aims to ensure that they understand how we will deal with a complaint of anti-social behaviour and the standard of behaviour expected of tenants, their households and any visitors to their home.

Nottingham City Homes encourages its partners, in particular Nottingham City Council and Nottinghamshire Police, to access this policy to inform their actions and strategies as part of a joined-up approach to tackling anti-social behaviour.

2.1 Links to other Strategies, Policies and Procedures

- Allocations and Lettings Policy
- Support Needs Assessment Procedure
- Suspension from the housing register, policy and procedure
- Equality and Diversity Strategy
- Rent Arrears Policy
- Repairs Policy
- Tenant Involvement Statement
- Tenant Compact
- Document Retention Policy

3. DEFINING ANTI-SOCIAL BEHAVIOUR

There is no single definition of what is meant by the term anti-social behaviour. The definition used in the Crime and Disorder Act 1998 is:

"Behaviour which caused or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator"

Also, for the purpose of our duties under the 1996 Housing Act (s.218A), anti-social behaviour is any conduct which:

- is capable of causing nuisance or annoyance to any person that is, anyone who has a right to live in property managed by us, those living in any other property in the neighbourhood including tenants of other landlords and owner occupiers, and anyone else lawfully in such property or in the locality, for example working or using local facilities; and
- directly or indirectly relates to, or affects the housing management functions of NCH any direct or indirect activity we may undertake in the strategic and

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day to day management of the housing stock, such as maintenance and repairs, rent and rent arrears collection, resolution of disputes. “Indirect” examples include housing support and social care, environmental health, refuse collection and other services provided that may help us to deliver our landlord function efficiently; or

- consists of, or involves using or threatening to use housing accommodation managed by us for an unlawful purpose.

3.1 TYPES OF ANTI-SOCIAL BEHAVIOUR

“Anti-social behaviour forms a wide continuum of disturbing behaviour from minor problems with dogs, children, untidy gardens and lifestyle cases through to serious noise problems, violent and criminal behaviour, racial harassment, intimidation and drug dealing.” (Source: Hunter, Nixon and Shawe, “Tackling Anti-social Behaviour.” 2000)

Nottingham City Homes recognises that the following will invariably constitute anti-social behaviour:

- Noise (including banging, shouting, amplified music,)
- Verbal abuse, harassment, intimidation, threatening behaviour
- Hate related incidents (based on race, sexual orientation, gender, disability, religion, age etc)
- Vandalism and damage to property
- Nuisance from vehicles – including mini-motos
- Drugs misuse / dealing (including cultivation, manufacture, supply and use of drugs and other substance misuse)
- Alcohol related
- Domestic abuse (including physical, emotional, psychological and financial abuse)
- Physical violence, including threats of violence
- Littering, rubbish and fly tipping
- Garden nuisance
- Misuse of communal areas/public space / loitering
- Prostitution, performing sexual acts, kerb crawling
- Any other criminal behaviour not included in the categories above

4. RECEIVING AND HANDLING A COMPLAINT OF ASB

NCH will ensure that everyone can access the service irrespective of their age, gender, disability, race, sexuality or faith.

We recognise the rights of individuals to be treated fairly and consideration of action in response to an allegation will only be made based on an assessment of the available evidence.

A complaint can be made:

- Verbally, in person at a local housing office or by telephone
- In writing
- By e-mail
- Via website
- Through a third party e.g. local councillor
- The City Council's ASB Help Line

All reports will be acknowledged within 1 working day.

Following receipt of the report a Housing Patch Manager will interview the complainant within the following timescales:

- 1 working day – racial harassment and other hate crime; domestic abuse; use or threat of violence and other serious intimidation
- 5 days - other nuisance / ASB

Where the perpetrator of ASB has been identified, they will be interviewed, if appropriate, within the following timescales:

- 5 days - racial harassment and other hate crime; use or threat of violence and other serious intimidation
- 10 days – other nuisance / ASB

We will arrange for the removal within 1 working day of any racist or other abusive or offensive graffiti.

The Housing Patch Manager will agree a written action plan with the victim / witness. This will specify what is to be done and the timescales in which actions are to be completed.

The victim / witness will be kept informed of progress and will be contacted at least once each month by the Housing Patch Manager. Progress against the action plan will be discussed. The plan will be reviewed as necessary.

The Housing Patch Manager will be responsible for the day-to-day management of the case, unless it becomes necessary to commission Community Protection.

Each anti-social behaviour case managed by the Housing Patch Manager, including any that have been commissioned to Community Protection, will be reviewed at least once each month by the Housing Manager.

All cases that have been 'live' for two months will be reviewed by the ASB Case Review Panel which consists of representatives of NCH, Nottingham City Council's Legal Services, the Family Intervention Project and Community Protection. All cases that remain 'live' after four months will be re-reviewed by the ASB Case Review Panel. The Panel will review action taken and issue guidance and/or instruction on future action.

We will seek to resolve disputes between neighbours by encouraging dialogue between the parties, through referral to the Nottingham Mediation Service.

Where mediation is not appropriate we will take every opportunity to pursue vigorously those who cause nuisance or harassment, following an investigation to establish the validity of the complaint.

Counter allegations will be investigated, but we will try to ensure that these do not hold up an investigation or any decision prior to taking action.

In very serious cases where violence has occurred or being threatened we will seek the protection of the court through an emergency injunction application. This may be carried out without notice to the alleged perpetrator, who will have the opportunity to state their case to the court.

Decisions prior to actions being taken will be based on an assessment of the evidence available at the time. Reviewing new evidence as it comes available is an important part of the investigation process. However, evidence judgements will be made as quickly as possible. Complainants will not be required to continually provide more evidence to clarify their status as victims / witnesses of anti-social behaviour.

5. SUPPORTING AND CARING FOR VICTIMS AND WITNESSES OF ANTI-SOCIAL BEHAVIOUR

Nottingham City Homes is committed to supporting witnesses and victims of anti-social behaviour. This commitment is reinforced by:

'Nottingham City Home's Policy Statement on Supporting Victims of Anti-social Behaviour, Hate Related Incidents and Other Crime'.

Whether a person is a victim, or whether they are prepared to act as a witness, Nottingham City Homes recognises the importance for customers to be provided with as much support as is practically possible and reasonable.

NCH will therefore ensure any support needs are identified and met directly by us or through liaison with other agencies, such as Victim Support.

Furthermore NCH will:

- Initiate and maintain regular contact with complainants, ensuring they feel valued and empowered.
- Keep complainants and witnesses informed at all stages and offer advice and reassurance wherever possible. We will provide witnesses with all the information they need, be clear on actions that are being taken or inform them of reasons why certain actions are not possible.
- Ensure that timely and appropriate action is taken against perpetrators of anti-social behaviour
- Ensure that evidence is collated from all available sources including the use of professional witnesses
- Keep the use of observation sheets to a minimum and advise witnesses of the outcome of observation sheet evaluation.

5.1 Practical support

Nottingham City Homes ensure that practical measures of support are met directly by us or through liaison with other agencies. Practical measures include;

- Removal of abusive graffiti
- Installation of fire proof letterboxes
- Increased reassurance patrols
- ASB related repairs
- Additional security
- Installation of panic alarm
- Translation and language
- Use of Dictaphone to record incidents of ASB

5.2 Providing evidence at Court

Nottingham City Homes recognise that being a witness at court and providing evidence can be a stressful and worrying experience. We may involve the Community Protection team to take legal action on our behalf. We are committed to fully support our witnesses through this by;

- Providing details of an officer who will act as single point of contact and who will maintain close contact with witnesses throughout the case. This may be an Officer of Nottingham City Homes or Community Protection
- Explain the court process before the hearing and arranging a pre-court visit when required
- Arrange for a pre-court visit
- Escort witnesses to and from court and around the court building at all times
- Request 'special measures' to allow witnesses to give evidence without intimidation from the perpetrator

5.3 Regulation of Investigatory Powers Act 2000 (RIPA)

Covert surveillance may be carried out when other means of gaining evidence is not available, to protect witnesses or to identify perpetrators.

Surveillance equipment is held and managed by CP who have in place the necessary procedures and training for its deployment and use, in accordance with the RIPA act.

5.4 Rehousing victims and witnesses of ASB

Nottingham City Homes' policy is to work with complainants to deal with perpetrators rather than move them. They may have strong connections with their neighbourhood and community and invested substantially in their home.

In the most serious and potentially threatening cases and where it has been assessed that the City Council may have a duty towards them under the statutory provisions of the 2002 Homeless Act, Nottingham City Homes will consider rehousing complainants temporarily or permanently by the decision of the Allocations Panel.

5.5 Closing a complaint

Nottingham City Homes will consider that a complaint is successfully resolved when the ASB has ended due to the following reasons:

- The perpetrator no longer lives in the property or area due to eviction, transfer or surrender of the property.
- Other action we have taken.
- Action taken by another agency.

A case that has not been resolved may be closed in the following circumstances:

- With regard to low level ASB, where no formal action is appropriate and the complainant makes no further contact or reports.
- The complainant fails to provide information requested by us or one of our partners.
- No further action is possible

Nottingham City Homes will maintain anti-social behaviour case records after perpetrators have left a Nottingham City Homes property for future reference and in the event that they apply for housing again in accordance with the Document Retention Policy.

Where a complaint is closed, Nottingham City Homes will:

- Explain to the complainant the reason for closing the case
- Confirm in writing that the case has been closed.
- If possible, give advice on what to do next.

6. PREVENTING AND TACKLING ANTI-SOCIAL BEHAVIOUR

6.1 Roles and Responsibilities

Nottingham City Homes Ltd, Director and Assistant Director, Housing Services have responsibility for implementing this policy and the associated procedures.

Anti-social behaviour exists throughout the city and across all tenures. It is certainly not a problem limited to council estates. In many instances tenants and leaseholders of Nottingham City Homes are affected by the behaviour of those on their estates who are, or live with, tenants of other landlords or owner-occupiers.

In these cases Community Protection will lead the investigation and may take or assist with whatever warning or enforcement action is available and appropriate.

Nottingham City Homes will investigate complaints from people living in other tenures of accommodation about the behaviour of tenants and leaseholders, their household and visitors.

A comprehensive range of measures will be used to prevent and tackle anti-social behaviour. These will generally be incremental with action escalating in response to the severity of the anti-social behaviour or it continuing despite interventions. However, immediate legal action will be taken when necessary.

Nottingham City Homes' overall objective is to bring about positive changes in behaviour by challenging unacceptable behaviour at an early stage.

6.2 THE TENANCY AGREEMENT

The Tenancy Agreement is issued by Nottingham City Homes and explained to all Introductory and Secure tenants at the “Welcome Meeting”, before they are invited to agree to its terms and sign it. There is also information for secure tenants who are demoted included in the agreement.

The Tenancy Agreement places an obligation on tenants to act reasonably and have consideration for neighbours. It warns that Nottingham City Homes will take firm action to deal with those carrying out unacceptable behaviour.

Clause 3.12 and 3.13 spells out the responsibility of the tenant regarding anti-social behaviour:

- 3.12 You must act reasonably and have consideration for your neighbours. We will not tolerate antisocial behaviour, harassment, domestic violence or domestic abuse and we will take firm action to deal with those carrying out this unacceptable behaviour.
- 1) As tenant you will be held responsible for any unacceptable behaviour carried out by your family, any other people living at your home, your acquaintances, friends or visitors to your home in addition to your own actions. You will also be held responsible if you incite instruct allow or encourage anyone to act for you. This will apply whatever their age.
 - 2) You must ensure that you, your family, any other people living at your home, your acquaintances, friends or visitors to your home do not:-
 - a) Cause, or behave in such a way as to be likely to cause, a nuisance or annoyance to anyone in Nottingham, including people in the locality and other tenants or residents
 - b) Harass or commit any criminal offence towards any person (or their property) in Nottingham, or in the locality, wholly or partly on the grounds of colour, race, ethnic origin, sex, sexuality, disability or health, age, religious beliefs or culture, immigration status, or any other reason
 - c) Be violent towards anyone else including, but not limited to, your partner or former partner(s), other members of your family, or the people related to your partner or former partner(s)]
 - d) Make threats or be violent towards any Nottingham City Council employee, any employee of Nottingham City Homes, any contractor or anyone working on our behalf, any consultant or City Councillor. This includes when you telephone or visit any Council office or office of Nottingham City Homes, if you are visited at your home, or in any other situation
 - e) Use your home or neighbourhood for any activity which is unlawful including, but not limited to drug-dealing, consuming illegal drugs, storing stolen goods or contraband, benefit fraud, obtaining goods fraudulently, for sexual offences, or for the storage or keeping of

illegal guns or other weapons.

3.13 Drugs

Neither you nor anyone residing in or visiting your home may do any of the following when in your home or in the neighbourhood:-

- 1) Possess, use, store, keep, or produce drugs
- 2) Supply or offer to supply drugs to another person
- 3) Possess drugs with the intention of supplying them to another person
- 4) Cultivate any Cannabis plant.

("Drugs" means any "controlled drug" within the meaning of the Misuse of Drugs Act 1971, and regulations made under it, and any Act(s) replacing it. It does not include any controlled drug, such as methadone, which is in the possession and control of the holder of a lawful prescription for it).

We will always consider applying for possession of your home (which would end your tenancy) if there is a breach of any part of this condition, and also if you or a person residing in or visiting your home:-

- Is convicted of using the home or allowing it to be used for supplying or offering to supply drugs;
- Is convicted of any other offence that involves the home being used for illegal or immoral purposes, including for the storage or keeping of illegal guns or other weapons, or drugs;
- Is convicted of any indictable drug-related offence committed in, or in the locality, of your home.

6.3 INTRODUCTORY TENANCIES

Nottingham City Homes have adopted the use of Introductory Tenancies and apply these types of tenancies to all new Nottingham City Homes tenants unless they were already a secure tenant immediately before they moved, for example through a transfer, mutual exchange or having moved into the area from another council or other social landlord.

An Introductory Tenancy will automatically become a Secure Tenancy after twelve months unless a legal notice to extend it for a further six months has been served, or an application has been made for a possession order. This could be for any breach of the tenancy agreement, such as rent arrears or anti-social behaviour.

The use of Introductory Tenancies provides a positive message to both new and existing tenants that anti-social behaviour will not be tolerated by Nottingham City homes.

6.4 DEMOTED TENANCIES

Nottingham City Homes will continue to make best use of provision of the Anti-Social Behaviour Act 2003 for the demotion of a secure tenancy on the grounds of anti-social behaviour.

If a Demoted Order is granted by the County Court then for a period of one year the tenancy will be reduced to a status very similar to that of an Introductory Tenant and repossession during this time is easier.

6.5 PREVENTION

Directly and through working with our partners NCH aim to provide a range of prevention, intervention and rehabilitation measures. These include:

- Carry out regular estate inspections that involve local people and partner agencies
- Designing out crime through planned maintenance and improvement programmes, including local environmental schemes
- Promoting acceptable behaviour through resident and community groups and by working with young people in schools
- Working with the Crime and Drugs Partnership, Neighbourhood Policing and Neighbourhood Management to ensure agencies work together to tackle specific local issues
- Identifying risks and support needs through a process of assessment, for example, when registering new applicants for housing and during tenancy visits
- Making referrals to other agencies for support and intervention, for example
 - Floating Support
 - Adult Services
 - Children's Services
 - Education
 - Youth Offending Team including Youth Intervention Supervision Panels
 - Drug and Alcohol services
 - Mental Health Care services

6.6 EARLY INTERVENTION

NCH with its partner agencies believes that firm early intervention in incidents of ASB will prevent it from continuing or escalating. We recognise that effective early intervention provides relief and support for the victim. The options that we will consider include:

- Interviewing the alleged perpetrator, discussing the problem, including helping with support needs if necessary.
- Referral to the Nottingham Mediation Service.
- Warnings
- Early intervention letter
- Escalation of warning
- Solicitor's letter before action
- Anti-social Behaviour Contracts.
- Parenting Contracts.
- Referrals for support.
- Referrals to other services / agencies
- Target hardening
- Referral to Nottinghamshire Fire Service (home safety check, fire proof letter box)
- Garden Assistance Scheme (NCH)
- Bulk waste removal (NCC)
- Referral to the Family Intervention Service.
- Application to Suspend the Right to Buy.

6.7 ENFORCEMENT

In cases of serious or persistent ASB, or where offers of support have been refused and the behaviour has not improved, Nottingham City Homes will consider appropriate enforcement action in order to protect the welfare of victims and potential victims. This will include:

- Injunctions
Housing Act 1996, Section 153 A, B, C, D, E injunctions
Local Government Act 1972 Section 222 injunction
- Anti-social Behaviour Order (ASBO) – including applications on conviction (CRASBO) or during possession proceedings.
- Committal proceedings following breach of an injunction or ASBO.
- Tenancy Notices
- Notice to extend an introductory tenancy
- Notice of proceedings to demote a secure tenancy
- Notices of possession proceedings of an introductory, secure or demoted tenancy
- Possession or demotion proceedings (following the relevant tenancy Notice)

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- Parenting Order
- Closure Order
- Dispersal Order
- Exclusion from the Housing Register

Eviction proceedings will be considered as a last resort where intervention techniques have not brought about lasting improvement. The exception to this is where the behaviour is deemed as very serious e.g. where there is sufficient evidence that a tenant, member of their household or visitor are involved in the supply of drugs and the supply is connected to the tenancy.

7. MULTI AGENCY PARTNERSHIP WORKING

Dealing with anti-social behaviour can be complicated, with many causes and effects. As such it cannot be tackled by a single agency acting alone. For this reason Nottingham City Homes will continue to work closely in partnership with other agencies.

There is an established partnership structure within Nottingham to tackle anti-social behaviour, of which Nottingham City Homes is a partner together with the City Council, Nottinghamshire Police, the Crime and Drugs Partnership. The partnership has developed an approach that uses a problem solving method for identifying hotspots, preventing and tackling anti-social behaviour and supporting victims and witnesses.

There will continue to be regular information sharing, joint action planning and joint working between officers from different agencies at a strategic and operational level.

Nottingham City Homes has supported and will continue to support community safety initiatives such as Neighbourhood Watch schemes, Smartwatering, bogus caller campaigns and Weeks of Action programmes.

7.1 Community Protection (CP)

This is a service provided by Nottingham City Council and is uniquely positioned within Nottinghamshire Police 'C' Division to be the bridge between criminal and civil enforcement.

Nottingham City Homes and Community Protection have joint working arrangements which are detailed in a Working Protocol. The protocol sets out the working arrangements between Nottingham City Homes and Community Protection to ensure the delivery of an effective anti-social behaviour service.

ASB cases including hate crime and domestic abuse cases will be commissioned by NCH to CP where either of the following apply:

- enforcement action is required
- the perpetrator is not connected to an NCH managed tenancy but the ASB affects the Housing Management Function

7.2 Statutory Nuisance

Where appropriate Nottingham City Homes will make a referral to Nottingham City Council Environmental Services Department to take all reasonable steps to investigate a complaint of a statutory nuisance, examples of which include:

- Noise (domestic and industrial)
- Vandalism
- Graffiti
- Fly posting
- Litter / dumped rubbish
- Fly tipping
- Abandoned vehicles

With regard to statutory noise nuisance Environmental Health Officers can prosecute offenders, who can be subject to an Abatement Notice, a fine and seizure of equipment.

7.3 Nottinghamshire Police

Nottingham City Homes is represented at Police Tasking meetings at a local operational level and a city wide strategic level. Information is shared and the different agencies tasked appropriately to seek evidence of anti-social behaviour and take action against perpetrators.

Neighbourhood Policing is in place across all the Police Beat Areas in the city. It is integrated with the Safer Neighbourhood Teams that identify local priorities and actions for dealing with low level crime, nuisance and anti-social behaviour. Nottingham City Homes supports neighbourhood policing and is committed to helping it succeed. This committed is reflected in the Neighbourhood Policing Protocol between Nottinghamshire Police and Nottingham City Homes

Criminal proceedings

- Referral will be made to the police whenever anti-social behaviour is suspected to be associated with crime.
- The Police may inform Nottingham City homes of criminal action being taken against one of its tenants, a member of their household or a visitor to their home. NCH will consider possession proceedings where the tenant, a

member of their household or a visitor is convicted of an indictable offence or the offence relates to any breach of tenancy conditions

- It is a criminal offence to intimidate or harass a witness and we will inform the police should we be informed or suspect this is happening. We will also pursue civil enforcement action to protect witnesses

Closure Orders

Nottinghamshire Police have powers under the Anti-Social Behaviour Act 2003 to close down premises that are believed to be used for the production, supply or use of Class A drugs and have associated serious nuisance or disorder and the local authority has powers under the Criminal Justice and Immigration Act 2008 to close any privately owned, rented, commercial and local authority premises where there is significant anti-social behaviour.

Nottingham City Homes will continue to work with Nottinghamshire Police to identify these premises and ensure that possession action is instigated appropriately and within the closure period

Dispersal Orders

Nottinghamshire Police have powers under the Anti-Social Behaviour Act 2003 to designate an area as a Dispersal Area where there is persistent anti-social behaviour and a problem with groups causing intimidation.

Nottingham City Homes will continue to work with Nottinghamshire Police to identify potential areas and will ensure that appropriate intervention and enforcement measures are applied to support the effectiveness of an Order.

7.4 Family Intervention Project (FIP)

The Family Intervention Project (FIP) works with families in Nottingham who have reached crisis point and who are likely to be facing the loss of their home without major changes in behaviour. The model is one intensive and “assertive support” that aims to tackle causes rather than symptoms. It aims to provide effective interventions to complex problems by providing a joined-up package of services.

Nottingham City Homes will continue to work closely with FIP to identify families requiring this level of intervention, and to encourage the required change of behaviour through outreach FIP work at the existing home or through the provision of a Family Intervention Tenancy where appropriate, in accordance to the Housing and Regeneration Act 2008.

8. DEALING WITH PERPETRATORS

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Nottingham City Homes recognises the need to contribute where it can to the rehabilitation of perpetrators of anti-social behaviour, for example by referring to the Family Intervention Project where there are children in the household. We will continue to provide perpetrators with the opportunity to exhibit a change in their behaviour, even where legal action has commenced or has been taken.

Alleged perpetrators will be given an opportunity to present their case at each stage of enforcement action. We will inform them of any right to a formal review of a decision to take enforcement action.

Nottingham City Home's service standards relating to alleged perpetrators of anti-social behaviour state that:

If a complaint is made about you we will:

Speak with you within 10 working days from when the complaint is made*

- Inform you of the allegations being made and listen to your response*
- Give you the opportunity, where appropriate, to rectify your behaviour and get support
- Let you know where we believe you have breached your tenancy or leasehold agreement
- Where appropriate, discuss with you options such as an Anti-social Behaviour Contract or a Parenting Contract, before taking formal legal action
- Provide you with written notice of any legal action we intend to take against you and the reasons for that action.*

***Except where there is violence or the threat of violence involved, when we will consider taking immediate legal action without notice. In this event you will have the opportunity to state your case in court.**

8.1 Vulnerable Perpetrators

Nottingham City Homes will always consider issues of vulnerability, for example disability, mental health problems or drug and alcohol abuse. In such cases we will apply the relevant provisions of the Disability Discrimination Act and other legislation.

We will involve relevant agencies and caseworkers to seek the intervention and support of partner agencies as appropriate. A multi-agency case conference will be called in some cases to find a way forward to stop the anti-social behaviour.

8.2 Juvenile perpetrators

We will always ensure that actions taken against juvenile perpetrators are compliant with our responsibilities under the Children Act and other legislation. We will seek to provide support and intervention in liaison through Children's Services and other youth services.

9. ABUSE OF EMPLOYEES

NCH considers that its employees and contractors and those of any other agency, such as the City Council working in or around property managed by us in connection with our housing management function, should be able to work in a safe environment. Whenever they are subject to abuse, threats or violence, we will not hesitate to take legal action against perpetrators, including seeking injunctions. We will also consider taking demotion or possession proceedings if they are our tenant or are a member of their household or were visiting the tenant's property when the incident occurred.

Additional actions that we may take include:

- Removing a perpetrator's licence to visit their local housing office.
- Placing their name on Nottingham City Council's Violent Persons' Database.
- Suspension from the Housing Register

10. RACIAL HARASSMENT AND OTHER HATE INCIDENTS

NCH will not tolerate racial harassment or any other harassment caused to someone because of their colour, race, nationality, age, health, disability, mental health, sexual orientation, marital status, education, religious belief or faith, or health status.

We will take determined action against those who perpetrate racial or other harassment, any incident motivated by hate and prejudice against others.

We recognise that hate incidents can take many forms, ranging from verbal abuse to physical as well as attacks on homes and property. NCH defines a hate incident as "any incident that is perceived to be a hate incident by the victim or any other person". This uses the definition of racial harassment recommended in the Stephen Lawrence Inquiry Report by Sir William Macpherson (1999).

11. DOMESTIC ABUSE

Domestic abuse affects approximately 10,000 women, 7,000 children and young people and up to 1,000 men in Nottingham. Approximately 250 men per year will experience 4 or more serious assaults equivalent to women's experience of domestic violence. The Police receive reports of

between 600 and 800 domestic violence crimes a month in the city.

The Home Office defines domestic abuse as:

‘Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional), between adults who are or have been intimate partners or family members, regardless of gender or sexuality.’

In addition, Nottingham City Homes acknowledges that domestic abuse can form a pattern of coercive and controlling behaviour.

Nottingham City Homes will apply all standards of this policy to tackle domestic abuse and provide support to survivors. However we recognise the impact domestic violence has on individuals, families and communities and provide additional service in partnership with other agencies including Community Protection, the Police, Women’s Aid, other providers of housing and other agencies to:

Support survivors

- Provision of information and advice and options, including signposting to other agencies and Family Law solicitors.
- To help survivors to remain in their home through the provision of target hardening measures or a referral to Nottingham City Council’s Sanctuary Scheme.
- Offer emergency temporary and / or permanent rehousing where this is required.

Take action against perpetrators

- Warnings
- Housing injunctions
- Tenancy notices
- Possession proceedings
- Anti-Social Behaviour Orders

Taking action against perpetrators of domestic abuse complements the City Council’s policies on crime and disorder reduction, homelessness reduction and very often, child protection.

Where enforcement action is required Nottingham City Homes will commission Community Protection’s specialist Domestic Abuse ASB Officer.

Multi-agency Risk Assessment Conference (MARAC) and Vulnerable Persons Panel

Nottingham City Homes is a member of the Multi-Agency Risk Assessment Conferences (MARACs) on domestic abuse. We are included in an Information Sharing Agreement and share information with

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a range of agencies in connection with cases where the survivor has been assessed to be at high risk. The agencies determine a range of actions to support the survivor and tackle the perpetrator.

As part of the Neighbourhood Policing arrangements Nottingham City Homes is a member of locally based Vulnerable Person's Panel (VPP) The VPP will consider cases of domestic violence where the survivor has been assessed to be at medium risk. It will also track high risk cases that have been considered by the MARAC.

12. DISPUTES INVOLVING OWNER OCCUPIERS AND TENANTS OF PRIVATE LANDLORDS

Nottingham City Homes will work with Community Protection the Police and other agencies to investigate and consider actions to be taken on complaints received from our tenants and leaseholders against owner occupiers and tenants of private landlords.

Tenants applying to purchase their council home under the Right to Buy will be informed of the responsibilities of an owner or leaseholder. Before the purchase they will have to sign a contract or lease that will include obligations to ensure that they, their household or visitors do not cause anti-social behaviour.

We will apply to the court to suspend an application under the Right to Buy where there is an intention to take enforcement action against the tenant because of anti-social behaviour.

Following a Right to Buy an application for an injunction may be made against an owner occupier / leaseholder if they break their obligations not to cause, or allow to anti-social behaviour.

13. COMMUNICATION

Any information provided to us regarding an anti-social behaviour case will be dealt with in confidence and will not be used for any purpose without the express consent of the person who provided it.

Nottingham City Homes will seek complainants' permission to disclose complainant details to the alleged perpetrator, their legal representatives or anyone else acting on their behalf. Complainants will be advised that the nature of the complaint may indicate the identity of the complainant, and therefore NCH will seek permission of the complainant to interview the alleged perpetrator.

An information sharing protocol exists between Nottingham City Homes, Nottinghamshire Police. This sets out the procedure for the sharing of information between us regarding anti-social behaviour. All information shared will comply with the protocol and relevant legislation.

We will share information at Tasking meetings and case conferences for the purposes of reducing crime and disorder in accordance with the Crime and Disorder Act 1998 Section 115.

Individuals have the right to request access to the information we hold about them and we will provide such information on request. We will of course withhold information relating to other people. We will not disclose files to alleged perpetrators that refer to confidential information about complainants.

14. TRANSLATIONS AND LANGUAGE

Nottingham City Homes will arrange for translations of its documents into different languages and will make available documents in Braille, large print, and recorded onto tape whenever the need is known or requested.

We will arrange for an interpreter to be available when necessary for interviews with victims and witnesses of anti-social behaviour and perpetrators.

For victims and witnesses of anti-social behaviour who are not comfortable with writing out Observation Sheets, a Dictaphone will be offered as an alternative.

15. MONITORING AND REVIEW

This policy will be reviewed annually or as required to reflect any legislative change, developments in best practice or customer suggestions.

16. FEEDBACK

Nottingham City Homes welcomes suggestions and complaints from people who use or provide our services. We believe that this can provide some important lessons to help us ensure that the service continues to improve.

Compliments, comments or complaints can be made

- by phone;
- by e-mail;
- by letter;
- by fax;

- on-line;
- by visiting one of our offices; or
- by contacting the Customer Relations Team