

# **Peter Birtwistle Trust**

## **Anti-Social Behaviour Policy**

### **Almshouse Association Model Policy**

#### Definition of Anti- Social Behaviour

As defined by Section 2, Anti-social Behaviour, Crime and Policing Act 2014

Anti-social behaviour is defined as:

- (a) conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person,
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) conduct capable of causing housing-related nuisance or annoyance to any person.

The trustees of Peter Birtwistle Trust take anti-social behaviour extremely seriously. Anti-social behaviour covers any kind of nuisance, unreasonable behaviour, or harassment. See Appendix A for definitions.

The trustees of Peter Birtwistle Trust will not tolerate anti-social behaviour that affects the quality of life of a resident or the management of the charity for the benefit of all its residents.

The Peter Birtwistle Trust will respond to anti-social behaviour quickly and effectively and will try where possible to resolve such situations at the earliest opportunity. The Peter Birtwistle Trust will aim to deal with anti-social behaviour in a consistent, sensitive and objective manner.

Residents are encouraged to report to the trustees any behaviour considered by them to be anti-social by any person. The trustees will investigate such reports (in confidence when this is appropriate).

The residents of Peter Birtwistle Trust are required, as per their Letter of Appointment, to occupy the property quietly and with thought for other residents and/or neighbours. Visitors should be made aware of this condition of occupancy.

If a resident wishes to report anti-social behaviour, they should contact Alison Evans or Joanne McIvor at the trust office address.

Upon receiving a report of anti-social behaviour, the office staff will, in the first instance, attempt to resolve the issue promptly and definitively. Issues that cannot be resolved by the office staff will be escalated and brought to the attention of the Trustees.

Upon receiving a report of anti-social behaviour, trustees will decide whether appropriate to:

- Resolve the matter within the charity
- Refer the matter for external mediation
- Seek a civil injunction or a Community Protection Notice (CPN).

If trustees conclude anti-social behaviour has been committed by a resident they will consider the following:

Consider 'setting aside' the appointment where the resident will be asked to vacate the property, in accordance with the resident's Letter of Appointment.

Should mediation be appropriate, the trustees may wish to refer the matter to an independent, external mediation service. This will enable an impartial person to view the matter from an unbiased perspective in order to help find a resolution to the problem.

If the matter cannot be resolved by mediation the trustees will not hesitate to act on behalf of a resident affected by anti-social behaviour. If this is caused by another resident in contravention of the Letter of Appointment, the charity will follow its internal procedures. After a due process of verbal and written warnings the resident's appointment to the almshouse may be set aside and the resident will be asked to vacate the property.

The trustees may also use powers granted by the Crime and Policing Act 2014 and seek an injunction (IPNA) or a Community Protection Notice (CPN). The trustees may also use these powers in the case of anti-social behaviour by visitors or neighbours.

If necessary, refer the matter to other agencies to resolve the problem, e.g., criminal proceedings by the police.

**This policy has been approved for issue by the board of trustees of Peter BirtwistleTrust.**

Signature:

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Name:

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Date:

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## Appendix to Anti-social Behaviour Policy

### Definitions

Please note that below are not exhaustive and should be used as examples.

#### Harassment

Any behaviour that intimidates, dominates or harms an individual or a family or group of individuals. The actions can be either physical or verbal. Harassment differs from nuisance and ASB in that it is targeted against particular individuals, households or group of people. For example:

- Abusive or insulting behaviour – written or verbal
- Violence and threats of violence
- Vandalism
- Repeated or unfounded complaints against another tenant, family or group
- Abusive telephone calls. – Uninvited visits to someone's home
- Placing rubbish, excrement or offensive materials near or in a victim's home.

#### Hate incident/crime

Any kind of behaviour that causes fear, alarm or distress where the victim or any other person feels that they have been targeted because of their racial heritage, religion or beliefs, disability, gender identity or sexual orientation. If a criminal offence has been committed a hate incident becomes a hate crime.

#### Nuisance

Is more likely (but not always) to affect more than one individual or household. Nuisance also covers behaviour that unreasonably interferes with other people's rights to the use and enjoyment of their home and community. For example:

- Noise nuisance including parties
- Intimidating behaviour from groups of people
- Car repairs and abandoned vehicles
- Drug and alcohol related incidents
- Rubbish dumping
- Using premises for commercial gain or outworking
- Graffiti, vandalism and damage to communal areas
- Nuisance caused by pets and other animals.