

TENANCY COMPLIANCE POLICY
(Anti-Social Behaviour, Hate Crime, and Restorative Justice)

Policy Owner:
Chief Operating Officer

Accountable Lead:
Director of Housing & Support



Policy Control

Policy Level	Operational
Policy Reference	CS/HM (TS)/003/2013
Link to Strategy	Neighbourhood Services Strategy
Version Control V.1 New policy (replaces ASB part of previous compliance policy) - Formal extension to December 2026 granted by Chief Operating Officer	Effective from: December 2022 Effective till: December 2026
Approved by	Executive Director Customer Experience December 2022
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Equality analysis	December 2022
Next review date	December 2026

Policy Statement

We believe that all residents have the right to live peacefully in their home and is committed to providing a positive response to any complaint of anti-social behaviour. We recognise that sometimes customers will have issues with their neighbours.

We are committed to tackling all incidents of hate crime through a robust approach and will take prompt and effective action against perpetrators of such behaviour aiming to protect the victim, stop the abuse and prevent further incidents. We believe that neighbourhoods must be places where people can live without fear of harassment or abuse.

We recognise the distress that anti social behaviour has on individuals and communities and we will take a robust approach to tackling problems caused by tenants, other household members or their visitors.

Our approach seeks in the first instance to think restoratively and support residents in changing their behaviour, working with other agencies where appropriate. Where this is not possible or fails we will use legal action to stop the anti social behaviour.

1. Scope

This policy sets out the ways in which we deliver our commitment to tackling Anti-Social Behaviour (ASB) and hate crime.

The policy also applies to colleagues who are victims of hate crime whilst working with customers.

The policy deals with circumstances where the perpetrator or victim is a Curo tenant or member of their household.

2. Responsibilities

- The Director of Tenancy Compliance & Management has overall responsibility for ensuring that the policy delivers the objectives of the Neighbourhood Strategy.
- The Director of Tenancy Compliance & Management is accountable to the Executive for the delivery of the policy. They have operational responsibility for planning and managing relevant procedures and practices to ensure the delivery of policy objectives.
- The Director of Accounts & Lettings has operational responsibility for delivering relevant procedures and practices in the lettings team.
- Tenancy Compliance Case Managers, Case Advisors, Co-ordinators, Tenancy Support Co-ordinators and Livewell Officers are responsible for taking action under this policy.

3. Definitions

Restorative Justice:

We will work on all cases in a 'think Restorative' way first.

The delivery of Restorative Justice will involve communities. What matters to the victim is most important and will help to build safer neighbourhoods. 27% of victims of crime will need an enhanced level of service. We will provide enhanced levels of support to our most vulnerable/intimidated/persistently targeted victims and those who have been the victim of a serious offence.

Victims need to feel that their story is heard and will be supported to participate in discussions and to resolve the conflict. Being supported in the correct manner will improve trust and confidence.

Extra support will be put in place via our support officer. This can happen before, during or following Restorative Justice.

We define ASB as:

'Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as perpetrator'. (Crime and Disorder Act (1998))

And

"Conduct which is capable of causing nuisance or annoyance to any person; and directly or indirectly relates to or affects the housing management function 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". (Housing Act 1996 as amended by the ASB Act 2003)

We define Hate Crime as:

A hate crime is any criminal offence that is motivated by hostility or prejudice (or is perceived to be) based upon the victim's:

- *disability*
- *race*
- *religion or belief*
- *sexual orientation*
- *transgender identity*

Hate crime can take many forms including:

- *physical attacks such as physical assault, damage to property, offensive graffiti and arson*
- *threat of attack including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate, and unfounded, malicious complaints*
- *verbal abuse, insults or harassment - taunting, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace*

Tenancy Issue

Tenancy Issue is a breach of tenancy not linked to Anti Social Behaviour or non payment of rent. This could include but is not limited to, disposal of rubbish, behaviour of pets, condition of property/garden.

4. Principles

Anti-Social Behaviour

We recognise the important role that we have in combatting anti social behaviour, and the contribution that this makes to achieve our objective of providing safe and happy neighbourhoods for residents. The key principles that support this policy are

- We seek to prevent ASB occurring by reducing the opportunities and by identifying areas of risk
- We recognise that the way we let our homes can support our objectives of minimising risk

- We make it easy for people to report ASB to us
- We deal with reports of ASB promptly, and investigate thoroughly using a case management framework
- Partnership working is critical to achieving our objectives
- We will actively support victims and witnesses of ASB
- We will work with perpetrators to understand and change behaviour, and thinks in a restorative justice first way
- Where appropriate and as a last resort we will end the tenancy of anyone responsible for serious or persistent anti-social behaviour.
- We will close cases promptly and ensure that outcomes are transparent to all parties

Hate crime:

- Our commitment to equality means that we want to ensure all customers and colleagues are free from harassment, intimidation or violence.
- We are committed to ensuring that all residents benefit from the quiet enjoyment of their homes and that the behaviour of other residents does not adversely affect their quality of life.
- We use our occupancy agreements to explicitly and pro-actively combat hate crime.
- We investigate all reports of hate crime thoroughly and promptly.
- We take a victim centred approach to all reports, and we involve victims in our response.
- Our priority is the safety and security of victims, and we will provide additional security where this is needed.
- We strongly support the principles of partnership working as the most effective approach to tackling hate crime.
- We train and support colleagues to provide the most effective service they can.

Tenancy Issue

- We want our customers to proud of the neighbourhoods they live in
- We will challenge Tenancy breaches quickly
- We will close cases promptly and ensure that outcomes are transparent to all parties
- We are committed to ensuring that all residents benefit from the quiet enjoyment of their homes and that the behaviour of other residents does not adversely affect their quality of life.

5. Application

Prevention

Through success plans, we carry out a robust assessment of someone's ability to comply with the terms of our tenancy agreement prior to making an offer of accommodation.

Letting Homes

We recognise that we have a key role to play in creating sustainable communities. Where we identify 'hot spots' of ASB or where we are letting a large number of homes in one area at one time we will consider local lettings policies that support the needs of the local community.

Reporting ASB

We offer and publicise a range of ways to report ASB, in person, by phone, e mail, online, text and through social media. We will arrange for translations or interpreters if required. We encourage reporting by friends, relatives, support workers and other third parties

Case management and investigation

We adopt a triage approach which assesses the nature and urgency of all reports. Our ASB procedures set out how we make that assessment and the approach we take in different circumstances

We will explore whether Restorative Justice may be the best way of solving the problem, and if this is the case we will encourage the parties to participate, and offer this as a solution.

Partnership working

We work closely with other local partners to deliver the ASB service.

We actively support local multi agency panels. We work with support agencies, enforcement agencies and we have agreements which ensure we can offer mediation where this is appropriate.

Working with perpetrators of ASB

We will support perpetrators to change their behaviour and stop the ASB. Where this does not happen or they refuse to cooperate then we will use the various legal sanctions that are available to us to stop the ASB.

Supporting victims and witnesses

We recognise that making a complaint about ASB may be a daunting prospect and that victims and witness play a key role in our ability to deal with ASB. We explain what we can do to provide support and have a leaflet available.

We will be tailoring the support we offer to meet individual needs and the circumstances of the case.

The Tenancy Sustainment officer will respond to all urgent request for support at the most critical time. This support will stay in place until referred to more specialist long term support if required.

Two weekly updates will be provided to all victims to advise on most recent actions.

Eviction

We have procedures in place to ensure that we seek eviction only where it is appropriate to do so and as a last resort. Where we use Ground 7A we will consider an appeal from the tenant. We use the process in our starter tenancy appeal procedure to do this.

Case closure

Cases will be closed when the action plan is complete and/ or if no further action is needed or is possible.

Hate crime

We have processes in place that ensure we use all available powers and resources to take action against any individual involved in a hate crime incident.

Our tenancy agreements, and wherever possible other forms of occupancy agreement, explicitly prohibit a tenant, other family member or visitor to their home from harassing another tenant or member of staff.

All new tenants are made fully aware of the conditions of the tenancy agreement and the consequences of breaching their tenancy agreement.

We will run timely and appropriate training for frontline colleagues and tenancy solutions case managers in respect of hate crime.

Tenancy Issue

Our policy is supported by detailed procedures.

6 Monitoring

Cases will be individually reviewed by case conferences and at one to one meetings with managers, to ensure that this policy is applied appropriately and consistently. Managers also carry out monthly checks via Quality Assurance Framework

Once the case is closed we will ask customers to participate in a satisfaction survey. This will be completed by way of a phone survey.

We record and monitor on:

- The number of cases.
- The diversity profile of complainants and perpetrators.
- The location of incidents.
- Response times
- Outcomes, for example: transfer, support provided.
- Customer Satisfaction.

And in the cases of a Restorative nature:

We would collect information around ages, satisfaction, amount of referrals and their source, types of crime/asb linked to referral, how many referrals have been progressed and how many have been progressed successfully through the whole process. We record all outcomes, letters of apology and indirect processes.

We will use this information to improve on the services that we deliver, to prioritise the issues that residents tell us are important, and to make best use of the resources that we have.

7. Equality Impact Assessment

We will monitor the application of this policy regularly to ensure that it is applied fairly and that access to the service is available to all. Along with access to our Tenancy Compliance services, we will report annually on the outcomes of this monitoring.

Colleagues will act sensitively to the needs of individuals in the way that this policy and its associated procedures are applied.

The application of this policy is something that we consider a positive step to reduce discrimination and harassment in local communities.