

Enfield Homes

Anti-Social Behaviour Policy

ISO

Resident Approved

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INTRODUCTION

Enfield Homes is responsible for delivering front line housing management services on behalf of Enfield Council to its tenants and leaseholders.

Our residents have told us that anti-social behaviour is a big concern for them. We empathise with them when they are affected by anti-social behaviour that occurs where they live and we appreciate the impact that it can have on individuals and a community as a whole.

Our Mission

- quality homes
- excellent services
- successful communities

Our Vision

- A clean and safe environment
- Homes maintained to a high standard
- Services driven by involved residents who have a real stake
- A responsive, listening organisation that acts on residents' views and has their trust and confidence
- Value for money services provided fairly
- Homes and services in which tenants, leaseholders staff and all stakeholders take pride

Our Aims

- High quality accessible services
- Sound stock investment and maintenance
- Successful partnerships and sustainable communities
- Organisational excellence
- Effective use of resources

Our Commitment

Enfield Homes is committed to providing a high quality service to our residents to facilitate improving the quality of life in the communities that we serve. Where proven, we have a zero tolerance approach towards domestic violence, Hate Crime, physical violence, severe damage to property and serious crime which involves residents co-operating with our partners such as the Police and other statutory services.

We are committed to working with residents to resolve reports of anti-social behaviour which we will investigate and, where there is clear, proven evidence, we will take the necessary action. Our aim is to resolve cases without the need for legal intervention and, in fact, very few cases require this approach. We will use the following non-legal remedies to resolve cases:

- Warning letters
- Mediation
- Acceptable Behaviour Contracts (ABCs)
- Parenting Contracts
- Good Neighbour Agreements

Where we have offered mediation as a resolution, and this is refused, we will close cases and remove them from our active case list.

In developing this policy, we have consulted widely with customers, stakeholders and peers as part of our commitment to our residents.

EQUALITIES

Enfield Homes is committed to achieving equality of opportunity for all and is wholly opposed to all forms of discrimination. It is our policy to treat everyone fairly, regardless of age, disability, race, national origin, ethnicity or nationality, religion or belief, gender, gender reassignment status, marital or civic partnership status, pregnancy or maternity and sexual identity.

To support this, tackling anti-social behaviour, particularly harassment and Hate Crime, is a significant part of our approach to meeting the requirements of the Equality Act (2010). Under the Act we are required to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

We aim to make our services accessible to all residents and will take steps to overcome barriers to reporting anti-social behaviour. For example, this may mean making special arrangements for interviews in venues that meet residents' specific needs such as a physical impairment.

CONSULTATION

In developing this policy we consulted with the following:

- Residents at our Area Panels, resident focus group and leaseholder conference
- Federation of Enfield Community Associations (FECA); the umbrella organisation for resident groups
- Internal and external partner agencies including departments within Enfield Homes, the Council's Legal Department and Community Safety Unit and community groups
- A 'critical friend'; the Director of Housing of another social housing provider

WHAT IS ANTI-SOCIAL BEHAVIOUR?

Anti-social behaviour includes a wide variety of behaviours that can blight the quality of the community or an individual. Anti-social behaviour may be defined as “acting in an anti-social manner that caused, or is likely to cause, harassment, alarm or distress to one or more people not of the same household as the perpetrator”. (*Crime & Disorder Act 1998*).

Anti-social behaviour is behaviour which is unreasonable and persistently interferes with other people’s rights to use and enjoy their home and community.

By persistent, we mean an escalating ongoing pattern of behaviour over an extended period of time and, in general, not just one or two incidents of an unwanted behaviour. We would consider persistent as meaning reoccurring incidents of five times or more in a period of two months. For example, Environmental Health Services will respond to complaints of statutory noise nuisance which are defined as ongoing and unreasonable incidents such as loud music late at night or regular noisy parties and not general household noise. However, we may act in relation to one or two incidents depending on the nature of the incidents for example if they involved the use of violence.

OUR TENANCY MANAGEMENT TEAM

We do not classify everything that is reported to us anti-social behaviour and we have a tenancy management team that is the main contact point for all queries relating to tenancy matters.

As part of our responsibilities as a landlord of properties, this team will deal with formal breaches of tenancy and our approach in dealing with this is clarified below:

The following issues are not generally considered to be anti-social behaviour and any concerns will be directed to and investigated by the Tenancy Management Team:

- People walking across a wooden floor whilst wearing shoes
- People using washing machines – repeated use of machines late in the evening or at night is considered unreasonable
- People using the vacuum cleaner
- People mowing their lawns
- Children playing football outside is not considered anti-social behaviour
Playing football inside flats or in communal areas is not acceptable. If there is a “No Ball Games” sign, we have limited resources and it is difficult to take any action
- Children playing outside and possibly arguing with each other is also not considered to be anti-social behaviour
- Cooking smells
- General family lifestyle noise e.g.,
 - washing machine in day time hours

- people talking in their gardens
- general family noise when children come home from school
- differing lifestyles between younger and more mature residents
- friction between people who work during the day or are night workers

Tenancy breaches include non-statutory noise nuisance, neighbour disputes or other low level nuisance. We will deal with such complaints as a breach of tenancy.

Quiet Enjoyment

We regularly receive complaints of noise disturbance and residents quote the term 'quiet enjoyment'

Quiet enjoyment simply means a promise made or implied within a lease or tenancy agreement that the tenant will be able to use his premises peacefully and without unlawful interruption or disturbance from the landlord. If the landlord or anyone acting on the landlord's behalf interferes with quiet enjoyment (by, for example, preventing the tenant from getting access to the property or else entering the premises without lawful authority such as a Court order) they can be sued for breach of contract.

"Quiet" in this context does not mean undisturbed by noise. If a disturbance is caused by anybody other than the landlord this is a separate issue and a claim would arise against the person causing the disturbance.

Additionally, it does not mean that there should no noise at all in the vicinity of your home. Housing supply is short and families may be living in overcrowded situations which means that there will inevitably be normal day to day family noise such as watching television, children playing, doors banging and family arguments. We support the view that everyone should be able to have peace and quiet in their home but this is not always possible to achieve where residents live in accommodation in densely populated areas.

OUR SHELTERED HOUSING TEAM

We have dedicated sheltered housing estate managers for our residents who live in sheltered accommodation. If you have a concern about anti-social behaviour and you are a sheltered tenant, you should report this to your Sheltered Housing Officer in the first instance.

The Sheltered Housing Officer will liaise with your Sheltered Estate Manager who will then investigate your complaint. This team will deal with formal breaches of tenancy in the same way as our general needs Tenancy Management Team. Should a complaint escalate to the point where it is classed as anti-social behaviour, the case will be passed to the Anti-Social Behaviour Team. We will require evidence but the Sheltered Housing Officer and Sheltered Estate Manager will advise you on how to go about this.

We aim to give the same consistent quality of service across all the services we manage.

OUR ANTI-SOCIAL BEHAVIOUR TEAM

The most serious reports will be dealt with and investigated as a high priority by our dedicated Anti-Social Behaviour Team and, where there is supporting evidence, we will take the necessary action appropriate to individual cases.

Examples of what we classify as anti-social behaviour and how we deal with it are set out in Table 1.

Our tenancy agreement sets out a clear policy on Anti-Social Behaviour and explains in the 'Conduct and Behaviour' section (pages 6 and 7) what we regard as unacceptable.

As far as leaseholders are concerned, the lease and the estate regulations clearly set out responsibilities with regard to Anti-Social Behaviour.

We will take a firm line to ensure that tenants keep to their agreements and leaseholders keep to their responsibilities under the lease. We will use all available remedies, including legal action where appropriate, to combat all forms of Anti-Social Behaviour. As far as leaseholders are concerned, the lease clearly sets out responsibilities with regard to Anti-Social Behaviour. Tenants and Leaseholders are legally responsible for any breach of their respective tenancy agreement and lease, whether by them or anyone else living or visiting the property.

We will:

- respect confidentiality
- provide an accessible and supportive service to investigate reports of anti-social behaviour
- investigate cases, establish the seriousness of a complaint and take appropriate and relevant measures
- provide a consistent and sympathetic approach and treat residents and witnesses of anti-social behaviour sensitively
- work with the Police and other crime & disorder reduction partners to prevent and deter re-offending by perpetrators
- deter anti-social behaviour and, where appropriate, take effective action against perpetrators
- use a range of methods including (but not exhaustive): warning letters, mediation, Acceptable Behaviour Contracts, Parenting Contracts, Good Neighbour Agreements, Parenting Orders, Anti-Social Behaviour injunctions (ASBIs), possession proceedings and Anti-Social Behaviour Orders (ASBOs) to prevent or deter re-offending by perpetrators (**see Table 1 below for further details of remedies**)
- address the anti-social behaviour rather than move those involved in ongoing investigations (unless the most exceptional circumstances apply)
- ensure our response to anti-social behaviour is appropriate and proportionate depending on the facts of each individual case

- ensure support is offered to residents and / or witnesses throughout the investigation and any subsequent legal proceedings
- In the most exceptional circumstances, an officer may present hearsay evidence in court on behalf of a resident. If the Court awards an order and it is subsequently breached, the resident's evidence will be crucial to the outcome.
- work in accordance with the Enfield Homes' Diversity Policy to make sure we are able to effectively communicate with all of our customers and offer unrestricted access to our service irrespective of our customers' ages, gender, ethnicity, religion or sexual orientation.

We cannot:

- investigate anonymous complaints as we will be unable to approach alleged perpetrators without some details of the complaint

Complaints of anti-social behaviour should be reported to our Anti-Social Behaviour Team or your Tenancy Manager, Sheltered Housing Officer or Sheltered Estate Manager.

Table 1

	Nature of Incident	Available Remedies	Our Service Standards
PRIORITY 1	<p>Drug dealing Other Criminal activity Violence Domestic violence Hate Crime (includes racial harassment and homophobia) Serious damage to property Dangerous dogs</p>	<ul style="list-style-type: none"> • Referral to and working with partner agencies (such as the Police, Environmental Health Services, Social Services, Support Agencies, Youth Offending, Probation Services, Education and the Community Safety Unit) • Warning letters • Acceptable Behaviour Contracts (ABCs) • Parenting Agreements • Parenting Orders • Anti-social Behaviour Injunctions (ASBIs) • Anti-Social Behaviour Orders (ASBOs) • Serve a Notice of Seeking Possession (Secure Tenants) • Serve a Notice of Possession Proceedings (Introductory Tenants) • Demotions (Secure Tenants) • Premises Closure Orders • Possession Orders and Eviction 	<p>We will contact the resident within 24 hours of receiving the complaint and arrange an interview as soon as is convenient to them.</p>
PRIORITY 2	<p>Aggressive behaviour including threat of violence Frequent disturbance Drug / alcohol / solvent abuse Verbal / written harassment Intimidation Noise nuisance including shouting and arguing Playing loud music or television Having parties Vandalism and criminal damage to common parts Prostitution</p>	<ul style="list-style-type: none"> • Interview both parties • Offer support and advice • Mediation, where appropriate • Liaising with other agencies (see Priority 1 above) • Warning letters • Serve a Notice of Seeking Possession (Secure Tenants) • Serve a Notice of Possession Proceedings (Introductory Tenants) • Injunctions (ASBIs) • Court Undertakings • Premises Closure Orders • Possession Orders and Eviction 	<p>We will contact the resident within 5 working days or receiving the complaint and will arrange to interview them as soon as is convenient for them.</p>
PRIORITY 3	<p>Pet nuisance Minor noise nuisance Untidy garden / rubbish Access disputes Running a business from home Vehicle nuisance including car repairs Graffiti</p>	<ul style="list-style-type: none"> • Offer advice • Warning letters • Acceptable Behaviour Contracts • Liaise with other agencies (see Priority 1 above) • Referral to our Communal Services Team for graffiti removal and fly tipping • Recharges 	<p>We will contact the resident within 10 working days or receiving the complaint and will arrange to interview them as soon as is convenient for them.</p>

RESPONSIBILITY OF RESIDENTS: WORKING TOGETHER WITH RESIDENTS

We believe that reassurance is essential for residents. We want them to feel confident to be able to come to us with a problem and to be assured that we will take their concerns seriously.

It is crucial that residents work with us to resolve their complaints. We expect residents to:

- Respond to our calls and letters
- Keep accurate diary sheets over a period of time -- we will probably ask for diary sheets for 1 month in the first instance
- Provide us with clear and timely reports -- we can't act on one report on incidents that occurred a long time ago
- Be available to meet with us -- we have a flexible approach to arranging meetings
- Be prepared to attend court if necessary -- greater weight is given by the court to evidence if the resident attends in person rather than an officer giving hearsay evidence
- Be patient as it takes time to investigate and resolve complaints -- but we will keep residents updated on progress (or otherwise)

Unless we receive supporting evidence, we will have no alternative but to close a case. This will happen if there are no reported incidents for at least 3 months. Residents will be advised and we will re-open cases if there are fresh incidents reported.

Working together is a two way process and residents do need to recognise that they have a role to play and can take steps to resolve a problem. We use mediation as a means to working with residents to help them resolve neighbour disputes.

When we receive a complaint of neighbour nuisance we will investigate it. If there is no evidence, but we continue to receive complaints, we will expect the resident and their neighbour(s) to accept mediation. We do appreciate that it can be difficult to get both parties to participate in this approach. If the resident refuses mediation without good reason and we have no evidence substantiate the allegation, then we would have to close the case. If the other party is not willing to participate, then we may consider taking action which could mean sending a warning letter in the first instance.

Here is our approach to working through solutions with residents:

Mediation - Restorative Resolutions

At Enfield Homes we recognise the importance of helping residents to settle their differences. We use a process called 'restorative resolutions'. This involves highly trained staff from Enfield Homes and staff from our partner agencies bringing together the people in dispute to try and find a way to resolve their differences.

If we think the dispute is more serious, or it is otherwise appropriate to do so, we may employ an outside organisation to help resolve things. This will depend on the circumstances of each individual case.

We are having a great deal of success with this approach at the early stages when a case is reported to us and it is really positive in terms of complaint resolution. This process also prevents cases escalating to the point where relationships have fully broken down.

We are promoting this approach increasingly in the future to resolve differences between neighbours. Where residents refuse this highly effective tool to resolve neighbour disputes, cases will be closed. We do understand that sometimes, people do not always want to be in the same room together to discuss their differences. We can work with residents in separate rooms initially if that is considered the best way forward by both parties.

SUPPORTING WITNESSES

We appreciate that it can be unnerving for witnesses when we are preparing to take legal action against someone who has allegedly committed anti-social behaviour. We will do our best to provide appropriate and relevant support. This may include:

- Respite for a short period in alternative accommodation. This is scarce and supply is uncertain. Therefore, we would always suggest that staying with relatives or a friend for a short period is likely to be preferable.
- Provide additional security measures to your property which would include a personal panic alarm, additional window or door locks, letter box covers, CCTV equipment which could be placed in your home to monitor visitors to your property
- Where we require witnesses to attend court, we will explain fully what is expected when the witness attends court. We will provide witnesses with support throughout the court proceedings. This can include:
 - The cost of transport or transport itself dependent upon individual circumstances
 - Refreshments throughout the proceedings
 - Direct support from us and our legal representatives
 - Where possible, a separate room but this is subject to available facilities at the court
- Compensation for any other reasonable expenses associated with the time spent at court

Our case officer will continue to provide support following any court hearing but the length of time will be dependent upon each case and individual circumstances. This will be agreed with the witness. Referrals can also be made to the independent Victim Support scheme.

PARTNERSHIP WORKING

Effective working with our partners is crucial to tackling Anti-Social Behaviour effectively and this is at the heart of the Enfield Safer and Stronger Communities Board - Partnership Plan 2009 - 2012

The priorities for the plan as at May 2011 (which are reviewed annually) are:

- Working with young people as victims and offenders
- Tackling domestic violence and sexual offenders
- Improving community safety in public spaces such as parks and retail areas
- Improving community engagement
- Tackling anti-social behaviour especially where this is connected with drugs, prostitution, environmental problems such as graffiti and the management of offenders
- Tackling Hate Crime

These are the key agencies with which we work:

- Police
- Enviro-Crime
- Social Services
- Community Safety Team
- Community Health Services
- Youth Offending Service (YOS)
- Community Housing
- Probation services
- Fire Service
- Youth Services
- Tulip and One Housing Support; agencies that provide tailored support for vulnerable residents

This is not an exhaustive list as it will depend on the facts of each individual case and on the needs of individual needs who are involved in the cases. The range of partners may extend, for example, to substance or alcohol abuse, faith groups and domestic violence.

We have, together with our partners, signed an information sharing protocol which means that we can all share relevant and appropriate information when trying to resolve anti-social behaviour cases. Information is shared under the guidance of the protocol and within the parameters of the Data Protection Act 1998 and the Crime & Disorder Act 1998 (amended).

We attend various multi-agency panels and forums and, as a key partner in LB Enfield, are very proud of the proactive tasking model; Street Action for Enfield (SAFE) which is explained below. SAFE is the vehicle to discuss and problem solve hot spots and issues that impact on the community as a whole.

SAFE

Street Action for Enfield (SAFE) is a fortnightly partnership meeting which brings together all agencies working in Enfield. At these meetings, agencies are tasked with responsibilities which will contribute to reducing incidents of crime and anti-social behaviour prevalent in the borough. SAFE provides an opportunity for agencies to discuss their concerns and to request help from each other to resolve problems.

Community Action Partnership in Enfield (CAPE) are ward based meetings which are usually held monthly. CAPE brings together representatives of the local community, the Police, Enfield Homes and ward Councillors so that they can discuss priorities that affect the ward. If problems cannot be resolved at this level, then assistance may be sought from SAFE where other agencies such as Trading Standards and the Police Safer Neighbourhood Estates Team may be tasked to help in any ward.

A multi-agency panel is a forum for bringing representatives of partner agencies together to progress and resolve cases. There are also specific forums which focus on, for example, domestic violence, racial harassment and other Hate Crime. The object of the partnership approach is to target joint resources as well as offering support and interventions to both residents and alleged perpetrators. Cases are progressed through the exchange of information and updating agencies on action in progress.

SUPPORTING VULNERABLE RESIDENTS

We recognise the importance of supporting the more vulnerable residents living in our community and we will offer a referral to the support agencies with which we work. If we receive a complaint of anti-social behaviour about someone we believe to be vulnerable we will try to work with them and their support service to help them modify their behaviour. We may take tenancy enforcement action if a vulnerable person does not engage with us or other appropriate providers. Sometimes, perpetrators of anti-social behaviour are vulnerable and suffer from a range of different issues. These residents may be alleged to be responsible for causing anti-social behaviour in their communities but they can equally be the victims of anti-social behaviour. If an alleged perpetrator has mental health issues, we work closely with other agencies to establish mental capacity which means that they have to be able to understand the action we are taking against them. Dealing with vulnerable perpetrators is a lengthy process and we need to ensure that those who are suffering understand the process and the difficulties as well as the fact that we are unable to divulge confidential information about individuals.

We actively support the multi-agency approach towards safeguarding vulnerable adults and children; ensuring that those who may be at risk of abuse receive appropriate support and protection.

OUR APPROACH TO MANAGING AND CLOSING CASES

We will make regular contact with residents whilst a case remains open (as a minimum on a monthly basis) and we will try to make contact before closing a case.

We aim to work with residents and to close cases when the complaint has been resolved hopefully to the resident's satisfaction. However, where we are satisfied that we have done everything possible which is considered to be reasonable and appropriate, we may close cases even though the resident may not wish us to. Case management is reliant upon the reporting of incidents from residents. If no incidents have been reported during the last 3 months (and this period may be reduced where a resident has failed to respond to requests for information), depending upon the severity and nature of the case, we reserve the right to close cases. We will re-open them in the event that fresh incidents are reported to us.

We will advise residents when we close a case; either verbally or in writing and we will advise them of the reason for closing the case and what action they can take themselves. Residents may always have the option to take their own personal action against an alleged perpetrator even though Enfield Homes may not feel able to justify taking action in a particular case.

We will re-open cases but only where there have been fresh incidents reported. We will not leave cases open indefinitely.

PUBLICITY

We will publicise successful results of cases, whether or not there have been non-legal or legal resolutions involved. We will do this in newsletters, including our Housing News publication, and presentations at relevant meetings. We may also, where appropriate, publicise high profile cases in the local press. We will, at all times, ensure that anonymity is maintained in any public document but it is really important that we publicise outcomes of successful cases in order to maintain community support for our work and to encourage resident's support in enforcing court orders. Where court cases have concluded and a court order has been made, they are in most cases in the public domain and we reserve the right to publicise full details of a case.

CONFIDENTIALITY

Enfield Homes takes confidentiality very seriously. Consequently, we will never disclose your details to a third party without your explicit permission. We also have to abide by legislation such as The Data Protection Act 1998. When you make a complaint about Anti-Social Behaviour, your personal details and the information you give us about the perpetrator is held on our secure database.

There are, however, circumstances where maintaining secrecy of your identity would be problematic. This is where cases may go to court and you may be asked to give evidence. Please refer to our Witness Charter which will help you understand what to expect when going to court. Please be aware that we cannot address anonymous complaints. If you wish to make a complaint, then we wish to know your name and address as well as specific details about the anti-social behaviour being complained about.

STAFF SUPPORT

Working with residents on tackling anti-social behaviour can be very emotive and, sometimes, residents can become very upset to the point where their behaviour becomes unacceptable.

We will not tolerate threats or violence against a member of staff or our partners. We will work with the Police and other agencies to use available legal remedies against any person using or threatening violence. If that person is a tenant, there are specific powers in the tenancy conditions to deal with threats or violence against Enfield Homes' staff or its contractors. This states that *"You must treat our officers and anyone acting on our behalf with courtesy and respect and you must not make offensive comments to them."* (page 7 of the Tenancy Agreement)

We may consider strong action if this condition is breached which could result in injunctive action, possession proceedings or both.

We will also ensure that our staff:

- Understand our policies
- Are well-trained on our procedures
- Are knowledgeable

PERFORMANCE MONITORING AND CUSTOMER SATISFACTION

We constantly strive to improve the quality of our service and to increase satisfaction levels. We therefore set challenging targets for our staff and also follow up case closure with a telephone survey. . At the closure of every case, we survey our residents to find out how satisfied they were with the way in which we handled their complaint. These surveys are carried out by telephone and we appreciate it if residents can give us a few minutes to complete the survey. Surveys are undertaken by officers who have not had any previous involvement in the case. This maintains objectivity and helps us to learn more about the way we have managed cases and so influence case management in order to improve the quality of our service in the future

We will publish the outcome of our performance in communications to our residents and stakeholders. We also ensure that monitoring is equality based to ensure that our services are accessible to customers from all sectors of the community.

We may also invite residents to participate in focus groups to examine our approach to case management. We highly value the customer experience and we appreciate the impact that anti-social behaviour can have upon the lives of our residents but we do need to get across the fact that there are limitations as to what we can realistically do to assist; particularly with respect to lower levels of nuisance or disputes.

COMPLIMENTS AND COMPLAINTS

It is really important that we receive customer feedback because it informs the way we run our services.

We are particularly encouraged to hear when tenants are pleased with our services. It helps us to identify what works well for our customers. This can be equally as important as constructive criticism when it comes to improving services. You can pass on comments by telephone, in writing or e-mail to any member of staff or see the general contact details below.

We do want the views on our service only. If you have a complaint about any other agency such as the Police or the Council's Environmental Health Service, then this should be made directly to them but we can assist you to identify the right channels to direct your concerns.

In some instances, residents may wish to make a formal complaint. This can be done by way of our formal complaints procedure; a copy of which is available on our website or it can be sent in the post upon request. Contact for formal complaints is as follows:

e-mail: info@enfieldhomes.org

telephone: 0800 40 80 160

Writing to or calling in person to our offices at Enfield Homes, Edmonton Centre, 36-44 South Mall, London, N9 0TN between 08:30 – 17:00 on Mon – Fri.

The complaints procedure can be found at www.enfieldhomes.org

If the formal stages of our complaints' procedure are exhausted and you are still dissatisfied, you can contact the Local Government Ombudsman to investigate. Contact details are:

Local Government Ombudsman

PO Box 4771

Coventry CV4 0EH

Tel: **0300 061 0614 or 0845 602 1983**

e-mail: advice@lgo.org.uk

All new enquiries should initially be sent to the above central location and they will then be processed regionally. There is also an on-line complaint form which can be access from www.log.org.uk

MONITORING, REVIEWING AND SHAPING OUR SERVICES

We are committed to consulting with customers, staff, partner agencies and our peers to periodically review this policy. As stated above, we place great reliance on feedback received from residents when we survey them upon case closure.

We will aim to review this policy every three years. However, should there be any new legislation, initiatives or changes in best practice, we will consider an interim review and incorporate them into our policy. To support this approach, we have obtained ISO 9001:2008 quality assurance accreditation for our procedures and any policy or procedural review will be reflected in our bid for future accreditation.

References

www.communities.gov.uk

www.homeoffice.gov.uk

Enfield Council Tenancy Agreement (2006)

Enfield Homes' Tenants' Handbook

Enfield Homes' Complaints' Procedure

Enfield Safer & Stronger Communities Board Partnership Plan (2009-2012)

If you require any further information about this document, please contact Jan Powell or Carmel Naessens at Enfield Homes.

Appendix 1 - GOVERNMENT GUIDANCE, REGULATION AND CONTEXT

The Home Office and the Communities for Local Government department have published regular guidance to support evolving legislation. The most recent document published by the Home Office in March 2010 was "Tackling anti-social behaviour: Tools and powers – toolkit for social landlords" which sets out the landlord's role in tackling anti-social behaviour, protecting communities. This is now under review and further guidance is expected later on in 2011.

In developing this policy, we are committed to working within the Tenant Services Authority (TSA) regulatory framework which means that we set out what we should be doing. As far as anti-social behaviour is concerned, our objectives fall within the TSA standard 4, Neighbourhood and Communities, which deals with neighbourhood management, local area co-operation and anti-social behaviour. The relevant proposed local offers published in our Annual Report for 2009/10 state the following standards:

- We aim to respond within 24 hours, or sooner, to Hate Crime incidents including the removal of offensive graffiti
- We will run regular anti-social behaviour outreach surgeries
- We will contact customers who have reported anti-social behaviour once a more to keep them informed of progress

The government introduced the Respect Standard for Housing Management and Enfield Homes signed up to this in June 2007. Our participation was launched at one of our summer Community Festivals. The Respect Standard set out the core commitments on tackling anti-social behaviour. These commitments are:

- Accountability, leadership and commitment
- Empowering and reassuring residents
- Prevention and early intervention
- Tailored services for residents and provision of support for victims and witnesses
- Protecting communities through swift enforcement
- Support to tackle the causes of anti-social behaviour

The Respect initiative is no longer promoted by the Home Office but it is being passed to Housing and Anti-Social Behaviour professionals. In practical terms, we continue to work with this framework which means that we will:

- Explain what anti-social behaviour is
- State our policy
- Tell residents what we will do to reduce anti-social behaviour
- Remind tenants and leaseholders of their respective tenancy conditions and lease covenants
- Tell residents what they can do to reduce anti-social behaviour
- Explain how we can all work together to improve services

Appendix 2 – RELEVANT LEGISLATION

<p>Environmental Protection Act 1990</p>	<ul style="list-style-type: none"> • Abatement Notices served by the Environmental Health Service • Breach of an abatement notice can result in prosecution and fines up to £5000, with a further £500 for each day that the nuisance continues
<p>Noise Act 1996</p>	<ul style="list-style-type: none"> • Seizure of equipment by Environmental Health Service
<p>The Crime & Disorder Act 1998 (as amended by the Anti-Social Behaviour Act 2003) Police Reform Act 2002</p>	<ul style="list-style-type: none"> • Establishment of Crime and Disorder Partnerships, placing a duty on the Police and the local authority to form a partnership in their area and to publish a Community Safety Plan to tackle crime and Disorder • Social landlords to publish their policies and procedures on anti-social behaviour • Introduced housing injunctions • Demotion orders (which can reduce a tenant's rights for 12 months) • Adding Anti-Social Behaviour Orders together with Possession Orders • Premises Closure Orders • Introduced interim ASBOs
<p>Housing Act 1985 Housing Act 1996 (as amended by the Homelessness Act 2002) Anti-Social Behaviour Act 2003</p>	<ul style="list-style-type: none"> • Eviction for harassment and anti-social behaviour can be pursued under different grounds (schedule 2 of the 1985 Housing Act). Ground 1 deals with any breach of tenancy and Ground 2 deals specifically with nuisance and annoyance. • Facilitates the use of officers or professional witnesses to present evidence in court on behalf of residents • Can deal with, by way of possession, anti-social behaviour in the locality and anti-social behaviour committed by visitors to a property • Provides an additional ground for possession against tenants convicted of an arrestable offence in the locality of the premises (includes burglary, theft, robbery, criminal damage, assaults and drug trafficking)
<p>Human Rights Act 1998</p>	<p>Requires all public bodies to pay proper attention to individual human rights, as set out in the European Convention, when</p>

	<p>making decisions that affect people. The most relevant rights for the purposes of this policy are:</p> <ul style="list-style-type: none"> • Right to respect for private and family life, home and correspondence • Right to a fair and public hearing • Right to enjoy convention rights without discrimination • Prohibition of discrimination • Respect for private and family life • Right a fair and public hearing <p>The Council may only lawfully breach individual human rights where the action taken achieves aims that the article allows, and is proportionate to those aims. Policies and procedures to address ASB must balance individual human rights and needs, against the broader needs of the community.</p>
Data Protection Act 1998	<p>All personal data processed must be:</p> <ul style="list-style-type: none"> • Obtained and processed fairly and lawfully • Be kept accurate and up to date • Held for as long as is necessary • Subject to appropriate and relevant security measures • Not disclosed unless there is consent of the data subject, a statutory reason or by order of court.
Race Relations Act 2000 Disability Discrimination Act 1995	<p>The duty under the RRA 2000 Act is to:</p> <ul style="list-style-type: none"> • Eliminate unlawful racial discrimination • Promote equality of opportunity • Promote good race relations between people of different groups <p>The DDA aims to prevent discrimination against disabled people, including through the delivery of services.</p> <p>The DDA may provide a defence to actions for nuisance.</p>
Housing Regeneration Act 2008	<ul style="list-style-type: none"> • Introduced Family Intervention Tenancies
Policing and Crime Act 2009	<p>Gang injunctions come into effect on 31 January 2011. Gang injunctions will be a valuable tool for local partners to use to tackle gang-related violence alongside a range of other prevention, detection and</p>

	enforcement measures.
The Protection from Harassment Act 1997	Could provide a resident with a civil remedy in a situation where Enfield Homes cannot act.
Children Act 2004	<p>The Act places a duty requiring all agencies with responsibilities towards children to discharge their functions with regard to the need to safeguard and promote the welfare of children.</p> <p>Safeguarding children and young people both as victims and perpetrators of ASB</p>
Equality Act 2010	<ul style="list-style-type: none"> • Introduced the single equality duty • Prohibits discrimination in relation to nine 'protected characteristics': age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation • An example protecting and safeguarding vulnerable victims (and perpetrators) of ASB under the protected characteristics of the Equality Act in particular disability and mental health.

Appendix 3 - FREQUENTLY ASKED QUESTIONS

<p>How can I report ASB?</p>	<p>If this is a new case, contact us on 0800 40 80 160 or you can e-mail us on info@enfieldhomes.org. You can also log on to our website at www.enfieldhomes.org and go the pages on anti-social behaviour. If this is an ongoing case which is already registered with us, please contact the officer who is dealing with your case.</p>
<p>I have a problem with my neighbour? What can I do?</p>	<p>We do not necessarily classify neighbour disputes as anti-social behaviour. However, we will investigate your complaint and, if we cannot prove your allegations and, if the problem continues, we will ask you to take part in mediation. If you refuse to participate in this, we will close the case.</p>
<p>Can I report incidents of ASB anonymously?</p>	<p>You can but we cannot investigate and progress a case.</p>
<p>If I am a victim of ASB, will I be re-housed?</p>	<p>No, you are unlikely to be re-housed. Our objective is to deal with the perpetrator of ASB and take the appropriate action to remedy the problem.</p>
<p>How do I report a noise nuisance?</p>	<p>We work with the Council's Enviro-Crime Noise Team. They have an out of hours' service on Friday – Saturday evenings (9pm – 3am). You can call them on 0207 379 1000. They will respond to calls about loud music, parties and loud volume on the television. It is important that the level of noise is measured by the Environmental Health Officer. Depending upon its severity and whether this is the first time there has been a problem, the officer can ask for the noise to be reduced, warn the occupants, issue a formal noise Abatement Notice or, in the most serious and extreme cases, confiscate the equipment.</p> <p>For reoccurring incidents, you will be required to keep a diary to log incidents as they occur which either we or Enviro-Crime will ask you to keep for about a month. Once you give us the diary, we can then assess the case and consider what action, if any, can be taken. This will depend on the noise reported and, if we consider that the noise is reasonable and attributable to life style, we will ask you to take part in mediation.</p>
<p>Why should I bother to fill in the incident diary sheets?</p>	<p>You may be asked to fill in these sheets either for noise disturbance or any other reports of anti-social behaviour.</p> <p>If we do not have specific dates, times and details of incidents recorded, we cannot take</p>

	<p>any enforcement action and we will not be able to take any cases to court without these logs.</p> <p>Quite simply, if you do not maintain the diary sheets, we will be unable to progress your case and it will be closed.</p>
How can you help me if I am partially sighted or have difficulty with writing up diary sheets?	If you have special needs such as these, we can arrange to provide you with recording equipment to help you record details of incidents
Will you tell the person I am complaining about who I am?	<p>No, we will not reveal your identity without your authorisation. However, if it is a neighbour dispute it is likely to become obvious to your neighbour who has complained about him/her.</p> <p>In very serious cases, such as drug dealing or youth behaviour, it is unlikely that the alleged perpetrator would be able to identify who the resident is who has made the allegations. We would never reveal your identify.</p>
What happens if the person causing the anti-social behaviour is not an Enfield tenant or leaseholder?	We will investigate the complaint and, if there is sufficient evidence, then we can take action such as an injunction, but this would depend upon the severity of the case. If it is a neighbour or boundary dispute, we would expect both parties to take part in mediation.
My partner is abusing me, what can I do?	<p>We can refer you to a support agency for independent advice. We would also recommend that you make a report to the Police and we will carry out an investigation.</p> <p>If you require additional security, we can make a safe house referral which will mean installing extra locks to doors and windows, spy hole or a special letter box to your front entrance door as may be necessary.</p>
I have been a victim of Hate Crime. What can you do to help me?	Hate Crime includes all forms of racial harassment, homophobic and disability harassment. It is important that this is reported to the Police as well as Enfield Homes. We can make a safe house referral to provide you with additional security measures (door and window locks, a spy hole and/or a special letter box).
Why does it take a long time to progress a case to court and to evict someone?	<p>We cannot progress cases on our own. It is very important that residents work with us i.e., keeping incident diaries, providing us with a witness statement and, when necessary, attending court.</p> <p>Our aim is to resolve a complaint and, ideally, we do not want to take cases to court and evict tenants. Before we take any case to</p>

	<p>court, we have to exhaust every avenue to resolve problems between residents. If we do not do this, the judge will not look favourably on us as social landlords and the Court will be less likely to grant an order in the Council's favour.</p> <p>Enforcement action is a lengthy process and it takes a long time to gather the required evidence and get a case into court and can be further delayed by the Courts' internal processes. We will not submit cases to court unless we believe that we have sufficient evidence to be successful in gaining the appropriate sanction.</p>
<p>If my property is damaged as result of anti-social behaviour, will you carry out repairs to my home?</p>	<p>The people who cause the damage to your personal belongings are responsible and you should make your claim directly against them. If you have home contents insurance, you should contact your insurance company and claim damages from them.</p> <p>If your front entrance door or windows have been damaged, you will need to make a report to the Police and provide our Repairs4You Centre with a crime reference number which the Police will give you. We need this information to process this with the Council's own insurers.</p> <p>In these circumstances and for normal repairs, such as a ceiling collapsing, you should contact our Repairs4You Centre on 0800 4080160 and they will deal with this in the normal way.</p>
<p>My neighbour's dog is constantly barking / is aggressive. What do I do?</p>	<p>We would not consider a one off incident, or occasional barking, or a dog barking just morning or evenings when it is taken out, to be anti-social behaviour. If a dog is constantly barking and may have been left alone for long periods of time, this can be reported to the Council's Animal Welfare Service who can give further advice. If the dog has bitten someone, contact the police. We will investigate and take action under the Conditions of Tenancy where there is a proven nuisance.</p>
<p>There are youths congregating on the stairwells and they are not doing anything. What can be done about it?</p>	<p>If the youths are not doing any harm, we cannot take any action. You can call the local Police Safer Neighbourhood Police Team and they may agree to patrol the area to deter the youths from congregating. If, however, the youths are disturbing you or your neighbours by causing a lot of noise and behaving in an abusive manner, we do require evidence from you and your neighbours. We can only take</p>

	action if the resident can identify the alleged perpetrator so you will need to give us a name and a description of who the young people are.
I think that there is drug dealing from the property next door. What can be done about it?	Contact the Police in the first instance as this is a criminal matter.
There is a lot dog fouling on the estate. What can be done about it?	If you know whose dog is causing a problem then please contact your Tenancy Manager or Sheltered Estate Manager who can send out a general letter to the residents. The officer can investigate the matter and contact the dog owner if you supply us with information about the problem.
I'm sure one of the neighbours is working from home because I often hear a sewing machine going for hours.	Refer to the Tenancy Manager who will investigate and liaise with Planning if necessary.

Appendix 4 - USEFUL CONTACTS

The following contacts represent areas of work, which are connected to the SSCB. You may want to learn more about the services provided.

Age Concern	020 8375 4124		
Anti-social behaviour reporting line (Enfield Homes - Council housing tenants)	0800 4080 160	e-mail: info@enfieldhomes.org	
Childline	www.childline.org.uk		0800 1111
Child Protection Helpline (NSPCC)	0808 800 5000		
Asian Child Protection Helpline	0800 096 7719		
Crimestoppers	www.crimestoppers-uk.org		0800 555 111
Crime Prevention Officer - Police	020 8345 1102		
Enfield Community Alarm Service	020 8367 3521		
Enfield Disability Action	020 8373 6228		
Environmental Crime Unit (including Out of hours noise team and Animal Warden Service)	020 8379 1000		
Drug & Alcohol Action Team	020 8379 5622		
Rugby House, drugs and alcohol services	020 8344 3180		
Lifeline, alcohol (and drug) services	020 8360 9102		
Drinkline – national helpline	www.drinkaware.co.uk		0800 917 8282
Homeless Persons Unit	020 8379 4418		
Refuge 24hr helpline (freephone)	0808 2000 247		
Enfield Fire Brigade	www.london-fire.gov.uk		020 8803 7530
Victim Support (Enfield)	0845 450 4443		
Women's Aid 24hr helpline	0808 200 0247		

Appendix 5 - LOCAL POLICE SAFER NEIGHBOURHOOD TEAMS

Safer Neighbourhood Teams are based in wards in our borough. These are the contact number of local teams and you can raise concerns about crime and disorder issues with them. You can also become involved in working with your local team.

<i>Local Ward</i>	<i>Telephone number</i>
Bowes	020 8721 2679
Bush Hill Park	020 8721 2685
Chase	020 8721 2689
Cockfosters	020 8721 2688
Edmonton Green	020 8649 3552
Enfield Highway	020 8721 2903
Enfield Lock	020 8721 2690
Grange	020 8721 2686
Haselbury	020 8721 2684
Highlands	020 8721 2687
Jubilee	020 8721 2683
Lower Edmonton	020 8649 3553
Palmers Green	020 8721 2835
Ponders End	020 8721 2682
Southbury	020 8721 2763
Southgate	020 8721 2792
Southgate Green	020 8721 2680
(Enfield) Town	020 8721 2791
Turkey Street	020 8721 2691
Upper Edmonton	020 8649 3554
Winchmore Hill	020 8721 2681