Anti-Social Behaviour Policy

Rykneld Homes (RHL) takes incidents of Anti-Social Behaviour (ASB) seriously and places a high priority on acting quickly and supporting people through what can be a worrying and stressful experience. We want customers to feel confident reporting problems to us and satisfied with the service they receive.

If anyone reporting ASB has a recognised characteristic under the Equality Act 2010 and would benefit from reasonable adjustments on any aspect of this Policy, we can assess individual need, such as methods of reporting or recording possible ASB, as part of an Equality Impact Assessment.

What is Anti-Social Behaviour?

The Anti-Social Behaviour and Crime Act 2014 definition has ASB as:

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

Examples of ASB includes:

- Hate crime
- Domestic violence
- Drugs and alcohol
- Harassment, intimidation and abuse
- Noise nuisance
- Violence and threats.

Actions not considered ASB include:

- General home living such as: flushing toilets, cooking smells, smoking in own home, washing machines, babies crying, sexual noises, shift workers leaving home, people walking on floors or upstairs, doors being shut, loud talking or laughing
- People carrying out DIY jobs
- Where there is no breach in the tenancy i.e. people staring or being inconsiderate
- Noise transference due to poor sound insulation
- Pets straying across garden areas
- Children playing, arguing in the street including ball games, riding bikes or skateboards
- One-off or isolated incidents e.g. a party or an argument or altercation.

How to Report ASB

- Online – complete the online form www.rykneldhomes.org.uk
- In Person – speak to your Housing Officer
- By Telephone – call us on 01246 217670 between 8am and 4pm Monday to Friday
- By email – Email details to contactus@rykneldhomes.org.uk
- In writing – Anti-Social Behaviour Team, Ryknеld Homes, 2013 Mill Lane, Wingerworth, Chesterfield S42 6NG.

In an emergency you should always dial 999.

Reporting Incidents Out of Hours

If you are experiencing incidents of nuisance, hate crime, domestic violence or ASB outside of normal office hours or at the weekend, you can use our Out of Hours reporting service. They will pass the details to us the next working day. Call – **08000 121 621**.

For more information and signposting to other agencies, visit our website: www.rykneldhomes.org.uk

Ryknеld Homes' Approach

Preventative Action

We will take steps to try and prevent ASB from occurring in the first place.

Our Allocations Policy prevents people responsible for ASB from obtaining or moving between Council and RHL tenancies. Our lettings are sensitive, particularly in flats, towards the mix of age groups mixing who may potentially have conflicting lifestyles.

We also deliver Diversionary Activities working with young people and provide community events during the summer months that educate and engage communities and provide involvement opportunities for customers.

We are committed to ensuring you can enjoy a quiet and peaceful life in your home. We will not tolerate customers being abused, harassed or subjected to noise, nuisance or other ASB from those around them.

All incidents are different and the time taken to complete the investigation and take appropriate action will depend on the circumstances of the individual case. You can access our 'Delivering Services to Vulnerable People' Policy on our website at: www.rykneldhomes.org.uk

We work with the Police and other agencies, where necessary, to resolve matters as soon as possible.

When you first report ASB or harassment to us, we will ask you for full details of what has happened. The information you give us will help us decide what action, if any, to take.

Questions we may ask:

- What happened?
- When did it happen?
- Where did it happen?
- Who was involved?
- Who witnessed the incident?
- Is this the first incident or has it been happening for a while?
- Have you reported the incident to anyone else (e.g. Police)?

How we deal with ASB

Once you have reported an incident a RHL Officer will contact you to discuss, in confidence, the nature of the incident and the possible course of action that may be taken. They will then prepare and agree with you an Action Plan to address your complaint.

Incident Diaries

In most cases we will issue you with an incident diary to complete. The diaries provide important information that will help us with our investigation. They also provide good evidence if they are written at the time of the incident to support any legal action taken. This information will help a Judge to understand what you have suffered if the matter goes to Court.

Throughout the investigation, we will continue to monitor and record ongoing work and aim to contact you every 10 working days.

If, at any stage of the investigation, it is felt that an appropriate intervention could be used you will be advised of this, what is involved and estimated timescale for completion.

We will provide assistance and support to any witnesses throughout and will stay in regular contact to give updates on our progress.

Other Types of Evidence

Incident Diaries are not the only source of evidence we use. Anything that supports your report and helps us to prove someone has caused harassment or ASB can be used. These could include:

- Statements from other witnesses
- Use of surveillance equipment we can use to record evidence
- Noise monitoring equipment to help investigate complaints of noise nuisance.

Resolutions

Informal Action

Where appropriate, we will use informal or non-legal action to try and reach a resolution.

Neighbour Disputes

If you feel a neighbour is acting unreasonably towards you, it may help to speak to them about the problem. You may be surprised to find they are unaware of how their actions are affecting you. Talking to each other can clear up misunderstandings and often problems can be resolved in this way.

Do not speak to your neighbour when you are angry. If your discussion is not going well, walk away. Never get involved in an argument.

Mediation

Your Anti-Social Behaviour Officer may suggest mediation, which is a way of helping people deal with disputes and reach some kind of agreement that everyone can live with.

Mediators help people discuss the problem – they do not judge or take sides. Mediation is voluntary, confidential and free, but not compulsory.

Breach of Tenancy Conditions

Tenants of North East Derbyshire District Council (NEDDC) and RHL are required to comply with the conditions set out in their Tenancy Agreement. Section 5 – Respect for your Neighbours and Community sets out:

"You are responsible for ensuring the reasonable behaviour in your home, garden or on any part of the estate or neighbourhood of your visitors and all members of your household (including children and any lodgers or sub-tenants). "Reasonable behaviour" here means behaviour that respects the rights of others to peaceful enjoyment of their home and neighbourhood and does not cause, or is capable of causing nuisance, annoyance, distress, alarm or harassment to other people."

We will take appropriate action if the tenancy conditions are breached such as serving a Notice of Seeking Possession.

Legal Action

Many cases are resolved without Court action but if it is necessary, our Officers will be present at all stages to support you.

Secure Home

In more serious cases we will consider what steps we can take to make people feel more secure in their home, for example:

- Additional security measures
- Use of surveillance equipment

- Providing information for witnesses from other agencies, as appropriate
- Working with the Police to apply for injunctions.

Working in Partnership

Rykneld Homes are part of the North East Derbyshire Community Safety Partnership. Our Anti-Social Behaviour team works with the Police, NEDDC and other local agencies to resolve more serious ASB cases. Under the Anti-Social Behaviour Crime and Policing Act 2014, our Anti-Social Behaviour Officers will use the following legal remedies to tackle ASB:

- Public Spaces Protection Orders (PSPO)
- Community Protection Notices
- Fixed Penalty Notices – this is a fine of up to £100
- Anti-Social Behaviour Case Review.

To find out more about the Community Safety Partnership download a copy of the North East Derbyshire Community Safety Action Plan.

Leaseholders

Where allegations of ASB are reported in relation to a leaseholder, RHL will undertake an initial investigation to assess the nature of the allegations and gather any available evidence. This may include obtaining witness accounts, reviewing supporting documentation, and liaising with relevant agencies where appropriate. As the enforcement of leaseholder related breaches falls within the remit of NEDDC, evidence obtained to support further action will be shared with the relevant NEDDC department for their consideration. North East Derbyshire District Council will then take appropriate enforcement action in accordance with their legal powers, policies and procedures.

Rykneld Homes will continue to work in partnership with NEDDC and other partner agencies to support the investigation and resolution of ASB where appropriate.

Confidentiality and Witness Support

It is reasonable to expect that incidents of ASB would be discussed between the relevant parties in an attempt to resolve the situation prior to our involvement.

There will be times when this is not possible or there is a genuine reason for not being able to approach the alleged perpetrator, such as fear of reprisals and/or if a complaint is very serious or of a sensitive nature.

As part of any report of ASB and the investigation, it is essential that we maintain the confidentiality and trust of the person making the report and/or witnesses involved in the case, if appropriate, without identifying them to the person causing the nuisance. This may prevent further reprisals and possible serious incidents being directed towards them.

We acknowledge that there may be occasions when we are unable to protect their identity due to serious specified incidents such as Safeguarding children/adults. In these circumstances, the person making the report and/or witnesses will be advised of this and offered support, if appropriate.

Perpetrator Support

We recognise that the people causing ASB may also be vulnerable and/or have a support need that is exacerbating the behaviour. Whilst not an excuse, we understand that leaving any needs unaddressed is likely to prolong the harm to all parties. In addition, helping the perpetrator to address a need can stop the ASB without having to resort to legal action.

We will consider the needs of the perpetrator at various stages throughout a case. We will consider whether we can offer any further support and/or whether a referral should be made to another agency or multi-agency group.

We will complete a proportionality assessment when taking legal action, in order that we are confident our action is a proportionate means to a legitimate aim. This assessment takes into account the needs of the perpetrator. In addition, where we know or believe the perpetrator to have a protected characteristic, we will consider the Equality Act when taking legal action.

When managing cases involving perpetrators with support needs, we adopt a twin-track approach, meaning that enforcement and intervention can be taken at the same time. Our priority is to stop the ASB and harm to complainants/victims. A support need will not stop or delay us from taking the appropriate action. Non-availability of required support and refusal or non-engagement from the perpetrator will also not be allowed to prevent or delay action being taken, where necessary.

Confidentiality and Data Protection

The Data Protection Act 2018 regulates the processing of information relating to individuals which includes the obtaining, holding, using or disclosing of said information. Rykneld Homes will treat all information provided in confidence and in accordance with the Data Protection Act 2018. Necessary information will be used and shared for managing the customer's tenancy and to deliver services from RHL and other organisations. These include, but are not restricted, to the DWP, Probation Services, Police, Social Services, and companies providing services on behalf of RHL.

Useful Contacts

Derbyshire Police .....999 /101

CrimeStoppers..... 0800 555 111

North East Derbyshire District Council 01246 231111

Rykneld Homes Out of Hours Reporting Line 08000 121 621

Stop 24-hour National Domestic Abuse Helpline 0808 2000 247

The Elm Foundation (Derbyshire Domestic Violence and Sexual Abuse Service) 01246 540464

Derbyshire Victim Services (Remedi) 0114 253 6669

Safeguarding Concerns – Adults and Children 01629 533190

Homelessness 01246 231111

Report Fly Tipping or Graffiti 01246 231111

Version	Author	Date	Changes

	Neighbourhood Services Team Leader	August 2008	ASB Strategy Approved
	Neighbourhood Services Team Leader	November 2009	ASB Strategy Approved
	Community Sustainment Manager	October 2014	Legislative changes initiated a review of the Policy to ensure it aligns with the amendments contained within the Anti-Social Behaviour Crime and Policing Act 2014. Reviewed ASB Policy approved at Governance & Audit Sub- Board on 10.11.14.
V1	Community Sustainment Manager	October 2020	New ASB Policy/Leaflet approved
V1.1	Neighbourhood Manager	June 2023	Link to Community Safety Partnership added
V2	Neighbourhood Manager	August 2024	Amendments approved by SMT September 2024: • Link to Delivering Services to Vulnerable People' Policy on our website added • New sections on Confidentiality and Data Protection and Perpetrator Support included • Contact time for Contact Centre altered • RHL address amended • Link to NEDDC's Community Safety Partnership plan updated.
V2.1	Neighbourhood Manager	November 2024	Rykneld Homes Out of Hours reporting line amended
V2.2	Neighbourhood Manager	November 2024	Amendments made to team and officer titles
V2.2	Neighbourhood Manager	November 2025	Name changes only
V2.2	Project Assistant	24.07.26	Version Control Table added
V3	Neighbourhood Manager	09.10.26	Leaseholder information added

NO ENGLISH?
NO PROBLEM

If you require this publication in large print or braille please call us on

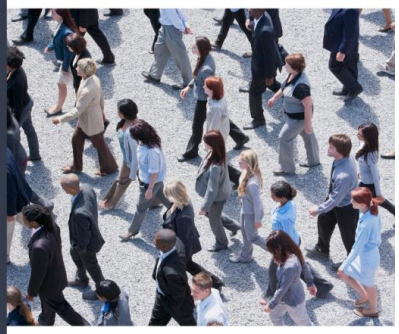
01246 217670

Rykneld HOMES
at the heart of communities

Język polski

W Rykneld Homes zależy nam na dostarczaniu doskonałej jakości usług naszym lokatorom, dzierżawcom i mieszkańcom. Aby porozmawiać z nami po polsku zadzwoń pod numer

01482 971724



For all other languages

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