Tackling anti-social behaviour
A guide for Medway Council tenants
Respect for others

We want you and your neighbours to enjoy your homes in peace, quiet and safety. We expect all residents to show courtesy and respect for each other.

Unfortunately, sometimes you may experience unreasonable or inconsiderate behaviour. This is known as anti-social behaviour. Housing Services defines anti-social behaviour as:

“Any act that has caused or is likely to cause harassment, alarm or distress.”

Housing Services recognises that ASB, including racial and sexual harassment, is unacceptable. Everyone has the right to live peacefully within their own home and community, irrespective of their religion, ethnic origin, disability, nationality, gender, or sexual orientation.

Housing Services signed up to RESPECT charter.

Some examples of anti-social behaviour are:

High priority anti-social behaviour
- Physical violence.
- Harassment, intimidation or threats.
- Criminal behaviour, drug dealing.

Medium priority anti-social behaviour
- Noise complaints.
- Misusing communal areas.
- Nuisance caused by animals.
- Inconsiderate use of cars.

Environmental anti-social behaviour
- Fly tipping and litter.
- Graffiti and vandalism.
- Abandoned vehicles.

We encourage customers to tell us about anti-social behaviour. There are many ways in which a complaint can be made.

This includes:
- in person at our contact points;
- by phone;
- by Medway Council’s website or by email;
- by letter.

Contact details can be found at the back of this leaflet.

Housing Services is committed to working with other statutory and voluntary agencies and partners to agree effective measures to:
- prevent anti-social behaviour from occurring within our communities
- support vulnerable residents
- take firm and prompt enforcement action when ASB occurs
- where necessary, rehabilitate perpetrators back into our communities

Tackling nuisance and ASB is a key part of delivering sustainable communities and improving the quality of life of our residents.
What can I do myself?

The first thing to do is to consider if you can contact the person responsible for the antisocial behaviour yourself. Involving your housing officer could make the situation more formal than you may like it to be.

However, you may be able to deal with the problem very effectively yourself:

- When you talk to your neighbour, try to describe the problem clearly. Explain how it affects you and your family, rather than just complaining about it.
- Stay calm and don’t argue.
- Ask if anything you are doing is causing a nuisance or annoying anyone.
- Be prepared to negotiate. You may find your neighbour has difficulties that you do not know about.

Remember to set a good example. Tell your neighbours if you are planning to do something that might upset them – for example, having a noisy party.

Be willing to listen if your neighbour says they have a problem about your behaviour. Treat problems as something you can solve together.

Some other actions you could take are:
- Contact the police.
- Contact an environmental health officer.
- Take your own legal advice.
- Ask us for help.

If you feel harassed, or if there is a danger of violence we need to take immediate action.
What can housing services do?

- We will take swift and firm action in response to a breach of the tenancy agreement.

- We will complete an action plan when we visit and interview you. This will set out what you can expect and what we will do.

- At the time we complete the action plan we will agree a mutually convenient time or interval to contact or visit you, to discuss and update you on the case.

- We will respond to a complaint of high priority anti-social behaviour within one working day.

- We will respond to a complaint of medium priority anti-social behaviour within five working days.

- We may need to contact other agencies and we have a number of methods available to successfully deal with anti-social behaviour, without resorting to legal or enforcement action. For example:
  - Warning letters.
  - Mediation.
  - Acceptable Behaviour Contracts.

- We will always try to work with you and your neighbours to resolve an issue, with eviction as a last resort.

- We will not hesitate to take legal action against anyone inflicting physical or verbal abuse, or intimidating residents, their families, visitors or members of staff.

- We will provide support to witnesses and victims of severe anti-social behaviour.

- We will try and provide extra help if the victim or alleged person causing the problem is vulnerable. We have dedicated support agencies that can help with problems that may have caused the anti-social behaviour.
Taking legal action

Some forms of legal action are very swift but some legal remedies mean that we have to gather evidence and wait for a court hearing.

There are four main types of legal action:

An injunction
Where there is a known threat of violence or unacceptable behaviour, we can ask the court for an order to force the person to stop. This can happen very quickly, with adults and youths aged 10 – 17.

Demotion order
This is a court order that replaces a customer’s secure tenancy rights with a less secure form of tenancy.

Criminal Behaviour Orders
Following a conviction of a criminal offence the underlying causes of the behaviour can be addressed through positive requirements. Breaches are a criminal offence.

Repossession
Housing Services can go to court to ask for a possession order, and to evict the person causing the anti-social behaviour. The judge will grant the order if the offences are proven and breach the tenancy conditions and it is reasonable to grant the order. This includes criminal convictions where the crime or behaviour was committed outside of the locality, in addition to an 'absolute' fraud for possession if certain conditions are met.

Acceptable behaviour contract
This is not a legal action but is an agreement by a person to behave in a certain way and comply with the terms of the tenancy agreement. It can later be used as court evidence.
The Anti-social Behaviour Crime and Policing Act (2014) has streamlined the powers available so we can respond more quickly and effectively to anti-social behaviour.

- Try to talk to the person concerned yourself, if the problem is not too serious.

- If the problem continues, contact us and tell us about the situation. Your housing officer will get in touch with you to obtain further information and to begin an action plan. You will be clear at the end of the interview about the actions we have both agreed to take.

- We will record details of your case on a database and obtain your consent to allow us to exchange information with other agencies.

- We may agree that you need some support while the case is being investigated and we will make a referral to one of the support providers we work with.

- We may need to collect evidence from other witnesses, or ask you to complete daily record sheets about the anti-social behaviour.

- We will usually interview the person causing the problem within the next 10 working days of our visit and interview with you, unless the case is a high priority. The housing officer will work with the neighbour to resolve the complaint. This may happen quite quickly, but the time allowed will depend on the case.

- We will keep you informed about what is happening. If you feel that the problem has stopped, we will tell you that we intend to close the case. If the situation is continuing we will agree new actions with you in the action plan until the matter is resolved.

- Complex and ongoing problems will require further investigation. Where there is evidence of anti-social behaviour the housing officer will use one, or a number of enforcement measures and may need to progress to legal action enforcement measures.
Love where you live

Report your issues to us and help keep Medway clean, safe and green.

From stray dogs to faulty street lights.

- Report online at www.medway.gov.uk/lovemedway
- Or phone 01634 333333

LOVE MEDWAY
CLEAN • SAFE • GREEN

Medway Council
Serving You
Making a compliment, comment or complaint

If you have had a positive experience with Housing Services please let us know. If however you are unhappy with the service you have received and you want to make a complaint or suggestion please contact us using one of the methods below:

Email: customer.relations@medway.gov.uk
Phone: 01634 333333
Write to: Customer Relations, Medway Council, Gun Wharf, Level 3, Dock Road, Chatham, Kent ME4 4TR

Who to contact

Housing Officers (Mon-Fri, 9am-5pm)
Phone: 01634 333344

Housing Services, Medway Council, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

Email: housing@medway.gov.uk
Website: www.medway.gov.uk/housing

Minicom: 01634 333111

This information can be made available in other formats from 01634 333333

If you have any questions about this leaflet and you want to speak to someone in your own language please phone 01634 335577.