

**Rotherham Metropolitan Borough
Council**

**Anti-Social Behaviour
Policy**

March 2011

Anti-Social Behaviour Policy Revised Policy – March 2011

1. INTRODUCTION

This policy statement sets out the action Rotherham Metropolitan Borough Council takes as a social landlord tackling anti-social behaviour (ASB) in the borough. The statement focuses on the housing role of the Council as is required by the Anti Social Behaviour Act 2003, whilst setting out the range of agencies working together to prevent ASB and promote strong successful communities.

The policy statement must be seen in the context of recent changes in government leadership. This will further influence future policy development but captures existing development in policy since the last review.

All local housing authorities are required to have in place and published, a policy and procedures document for dealing with occurrences of anti social behaviour. This duty was introduced by Section 12 of The Anti-Social Behaviour Act 2003 and accordingly in Rotherham a policy and related procedures have been adopted by the Council since December 2004 and amended in 2008. The policy and procedures must be kept under review in order to ensure that changes in legislation and working practices are current.

This interim policy is set against the context of success of the local safer neighbourhood partnership with, as presented in the Joint Strategic Intelligence Assessment for 2009/10, anti- social behaviour being reduced over year by 8%.

2. OUR COMMITMENT TO TACKLING ANTI-SOCIAL BEHAVIOUR

The Council and 2010 Rotherham Ltd, strive to provide the highest quality housing service, and to tackle the problems created by anti-social behaviour (ASB). The Council will:

- Provide an accessible, effective service, which encourages residents to report incidents
- Develop strategies to prevent ASB and take firm action against perpetrators.
- Support victims and witnesses, ensuring confidentiality at all times
- Protect vulnerable groups, tackling inequality and discrimination
- Work in partnership with tenants, residents and with other agencies to provide an effective response.

Anti-social behaviour left unchallenged damages individuals and communities. We are committed to continually reduce anti-social behaviour and recognise that, as well as enforcement, we need to follow a multi-track approach to also focus on its causes using all available partnerships and resources to fully use the tools and powers available

We will adopt the following key strategies in our approach

- Prevention
- Effective Enforcement
- Partnership working
- Rehabilitation of offenders.

Where necessary we will take tough action so that the majority of law-abiding, decent people no longer have to tolerate the behaviour of the few individuals and families that think they do not have to show respect to others.

In line with the Sustainable Community Strategy and the “Safe” priority theme of the Council our vision is for everyone in Rotherham to feel safe and to enjoy their home and neighbourhoods which are relatively free from low levels of crime and anti-social behaviour.

3. DEFINING ANTI-SOCIAL BEHAVIOUR

The Council recognises anti-social behaviour as behaviour which is capable of causing nuisance and annoyance to any person. The Crime and Disorder Act 1998 describes anti-social behaviour as;

“Acting in a manner that causes or is likely to cause harassment, alarm or distress to one or more person’s not in the same household”

This definition has been accepted by the Safer Rotherham Partnership, including the Council and its partners.

In addition Section 153A of the Housing Act 1996 defines anti-social behaviour as

“Conduct which is capable of causing nuisance or annoyance to any person”

4. TYPES OF ANTI-SOCIAL BEHAVIOUR

Some examples of what constitutes anti social behaviour are as follows. However there may be other types of behaviour that could be classified as anti social that are not included on the list:

- Excessive noise, (including banging, shouting, amplified music)
- Hate related incidents (based on race, sexual orientation, gender, disability, religion, age etc)
- Domestic abuse
- Rowdy, aggressive or threatening behaviour or language
- Using a Council property for criminal purposes, e.g. drug dealing
- Problems caused by animals, e.g. persistent dog barking, fouling etc
- Graffiti, litter or fly tipping
- Intimidation, harassment or threats

- Acts of violence
- Using or carrying offensive weapons
- Antisocial behaviour as a result of misuse of drugs or alcohol
- Nuisance from vehicles – including ‘off road vehicles.
- Any other criminal behaviour not included in the categories above

5. THE LEGAL AND STRATEGIC FRAMEWORK

The Council has to operate within the framework created by legislation and its own strategies and policies. The Council’s approach to anti-social behaviour is critical to the success of a number of key strategic drivers including:

- Local Area Agreement
- Rotherham’s Local Preventative Strategy
- Joint Strategic Intelligence Assessment
- The Housing Strategy [currently under review]
- Strategic Landlord Excellence plan.
- Strategy to Reduce Crime and Disorder,
- The Community Strategy
- The Homeless Strategy
- The Youth Offending Strategy
- The Black and Minority Ethnic Strategy
- Housing and Environmental Community Cohesion Strategy
- Single Equality Scheme
- Noise Reduction Strategy
- Enviro Crime Strategy
- Children and Young People’s Parenting Strategy
- Early Years and Childcare Strategy
- CAMHS Strategy
- Teenage Pregnancy Strategy
- Safeguarding Children
- Safeguarding Adults
- Domestic Violence Crime and Victims Act 2004

This policy document plays an integral part in assisting the authority in the objectives set out in the above strategies.

There are a number of statutory tools laid down that influence the methods and approach to anti-social behaviour that the Council undertakes:

THE HOUSING ACT 1985 (AS AMENDED BY THE HOUSING ACT 1996)

The Housing Act introduced statutory grounds for possession of Council rented properties, for example:

- a) Behaviour which is a breach of an express clause of the tenancy agreement:
- b) Behaviour by a Council tenant, or a person living with the tenant, or a person visiting the tenant which causes or is likely to cause a nuisance or annoyance to:
 - a person living in the locality of the tenant's property;
 - a person visiting a property in the locality of the tenant's property; or
 - anyone else in the locality of the tenant's property.
- c) Where a Council tenant or a person living with the tenant or a person visiting the tenant has been convicted of:
 - using or allowing the tenant's property to be used for immoral or illegal purposes; or
 - an indictable offence committed in, or in the locality of the tenant's property.
- d) Where a person living in a Council property has had to leave the property because he/she has been subjected to domestic violence.
- e) Where the condition of the tenant's property has deteriorated due to acts of waste, neglect or default by the tenant or anyone else living with or visiting the tenant.

The 1996 Act also created introductory tenancies along with Local Authority Anti-Social Behaviour Injunctions which have been amended by the Anti-Social Behaviour Act 2003. All new secure tenancies granted by the Council from October 2003 are introductory tenancies.

HOUSING ACT 2004

The Housing Act 2004 introduced wide ranging powers for Local Authorities to deal with the improvement of private sector housing. Amongst these powers are specific provisions relating to the Selective licensing of private rented properties.

THE CRIME AND DISORDER ACT 1998

This Act introduced Anti-Social Behaviour Orders (ASBO's). The Police or a local authority can seek an ASBO against anyone aged 10 or over who has acted in an anti-social manner and where people need to be protected from further anti-social acts.

THE POLICE REFORM ACT 2002

This Act makes it possible for Interim Anti-Social Behaviour Orders to be granted, where there is an urgent need to protect the community from further acts of anti-social behaviour, pending a full Anti-Social Behaviour Order being obtained.

THE CHILDREN'S ACT 1989

This Act places a duty on authorities to co-operate with each other in the protection of children. In particular information on one authority's actions must be shared with others if it would help them to carry out their functions.

THE DISABILITY DISCRIMINATION ACT 1995

It is unlawful for a Council to discriminate against a disabled tenant by seeking possession of their home. If there is evidence that a disabled tenant is acting in an anti-social manner and the actions are a direct consequence of the tenant's disability, the Council can only seek possession of their home where it is "justified" to do so under The Act.

THE RACE RELATIONS ACT 1976 / RACE RELATIONS (AMENDMENT) ACT 2000

This places a statutory duty on public authorities to eliminate unlawful discrimination; promote equality of opportunity; and promote good race relations. Race equality issues must be considered in all of its policies.

THE HOMELESS ACT 2002

This imposes a duty on the Council to assist people at risk of violence. In addition it states that the Council does not have to give preference for housing people guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant. Unacceptable behaviour is behaviour that would have entitled the Council to a possession order if they been a council tenant. In addition, it enables the Local Authority to treat an applicant as ineligible for housing if they or a member of their household has been guilty of unreasonable behaviour.

REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

Covert surveillance may be carried out when other means of gaining evidence is not available, to protect witnesses or to identify perpetrators.

THE HUMAN RIGHTS ACT 1998

The Act gives statutory effect to the European Convention on Human Rights. Key Rights include:

- Freedom of expression
- Right to life
- Prohibition of torture
- Prohibition of discrimination
- Right to freedom of thought and religion
- Right to respect for private and family life

THE DATA PROTECTION ACT 1998

The Act came into force on 1st March 2000. It sets out rules for those who process personal information to be open about its uses and to follow sound and proper practices when handling personal information. The Act covers all types of records, both manual and electronic and the council must ensure that all its work complies with the Act.

The council recognises that information exchange between agencies is valuable in order to protect its communities and the Council ensures that such exchanges of information are legitimate under the Data Protection Act.

CONFIDENTIALITY AND DATA PROTECTION

Section 115 of the Crime and Disorder Act 1998 allows the Council to share personal data or information to be disclosed to the Police, Probation Service, Social Services, Youth Offending Services, Public Protection (Environmental Health), The Primary Care Trust, Registered Social Landlords and Fire and Rescue Service, Education and Other Health bodies where it is necessary to take action under the Crime and Disorder Act 1998. For example, when obtaining an Anti-Social Behaviour Order, the information is processed in accordance with the Data Protection Act 1998.

SHARING INFORMATION

The Council and South Yorkshire Police have protocols to share information and consideration is given to what information is necessary and formal requests are made in writing with an audit trail kept of the request and reply.

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

The 2005 Act is in ten wide ranging parts. This includes the impact of Parts 1 (Crime and Disorder) 2 (Nuisance parking) 3 (Litter and refuse) 4 (Graffiti) 5 (Waste) 6 (Dogs) 7 (Noise) and 9 (Miscellaneous). The Act amends and modernises some existing legislation in relation to anti-social behaviour, and brings in several new offences. There is an emphasis on the use of fixed penalties.

THE ENVIRONMENTAL PROTECTION ACT 1990

This legislation imposes a legal obligation on local authorities to take such steps as are reasonably practical to investigate a complaint of statutory nuisance, which includes noise (noise nuisance is classed as anti-social behaviour). A statutory nuisance can exist where noise emitted from premises is either prejudicial to health

or a nuisance. In such circumstances the Council can serve an Abatement Notice on the person responsible for the noise, requiring him/her to stop the nuisance recurring. If such a person does not comply with the Notice they can be prosecuted and fined. In serious cases the Council could also seize equipment used to create the noise, for example a stereo system. In certain circumstances it may be appropriate following prosecution to apply for an Anti-Social Behaviour Order on Conviction.

THE ANTI-SOCIAL BEHAVIOUR ACT 2003

This Act brought in a number of new duties and powers for local authorities in their landlord capacity. These are as follows:

- Publish and keep under review policies and procedures for dealing with anti-social behaviour.
- Sections 152 and 153 of the Housing Act 1996 which deal with injunctions have been amended to widen the scope of injunctions that the Council can apply for to deal with anti-social behaviour. It is now possible to protect wider categories of people who are the subject of anti-social behaviour. In certain circumstances the Court can add a power of arrest to the injunction and prohibit people from entering specific premises or areas.
- Demotion Orders have been introduced which enable the Council to apply to Court for an order demoting a tenant from a secure tenancy to a less secure one for a year. If the tenant continues committing anti-social behaviour within that year it should be easier for the Council to seek possession of the tenant's home.
- The Court must give particular consideration to the impact of anti-social behaviour on victims, witnesses and the wider community when deciding whether it is reasonable to evict a tenant from their home.
- If the Council applies for possession of a tenant's home and believes that other people are committing related anti-social behaviour, it may also apply within the same Court proceedings for an Anti-Social Behaviour Order to be made against those other people.

6. POLICY OBJECTIVES AND STANDARDS

Rotherham Metropolitan Borough Council and 2010 Rotherham Ltd recognises that in order to provide customers with a high degree of customer care it has to be effective in tackling anti-social behaviour. This will be done by utilising all remedies available and taking appropriate effective action to assist those who are affected by or who are victims of anti-social behaviour.

The Respect Standard for Housing Management
The Council and 2010 Rotherham Ltd and wider safer Rotherham partnership are committed to tackling anti-social behaviour. In 2007 the council and 2010 Rotherham

Ltd signed up to the Respect Standard for Housing Management. The standard ensures that services are targeted effectively providing the level, quality and scope of services required for the customer.

The standard delivers a whole approach to tackling anti-social behaviour by placing emphasis on six core commitments:

- Accountability, Leadership and Commitment
- Empowerment and reassuring tenants
- 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 ASB

The Respect Standard for Housing Management Performance Improvement Toolkit for Landlords is also used to measure and assess the effectiveness of the Anti-social Behaviour service. The approach enables;

- Measurement of activity and performance
- Gathering of performance data in a way which helps drive improvement
- Benchmarking of performance and learning of approaches of good practice
- Residents are engaged to influence services

Anti-social behaviour varies in severity and the Council and 2010 Rotherham Ltd will assess the seriousness of a problem in order to determine the most appropriate way of dealing with it and to make the best use of resources. Effective partnership working with the Safer Neighbourhood Teams is essential.

All aspects of anti-social behaviour complaints will be treated seriously, investigated promptly and fairly. Careful consideration will be given to those who are vulnerable and multi-agency working may be carried out for their protection if appropriate.

All incidents of anti-social behaviour reported to us are put into categories according to their seriousness, and the most serious are investigated as a priority.

Category 1 – response time, the next working day

This is the most serious type of anti-social behaviour

- Physical violence or threat of physical violence
- Hate Crime
- Domestic Violence
- Serious damage to a property affecting the sustainability of the tenancy.

Category 2 – response time within 5 working days

- All other types of anti-social behaviour

7. SUPPORTING AND CARING FOR VICTIMS AND WITNESSES OF ANTI-SOCIAL BEHAVIOUR

- The confidentiality of a complaint and the anonymity of complainants and witnesses will be maintained by the Council and 2010 Rotherham Ltd, wherever possible customers request for confidentiality will be respected at all times.
- The Council and 2010 Rotherham Ltd will usually wish to discuss a complaint with a perpetrator. However, the action required to resolve the case will be discussed and agreed with a complainant before the perpetrator is approached.
- Complainants will be updated at least on a fortnightly basis in relation to how a case is progressing.
- All nuisance monitoring sheets and diaries will be read within one working day.
- Incidents will be logged and monitored, and where required further witnesses will be sought and work may be carried out with partner agencies. This will include information and investigatory support from the Borough's Safer Neighbourhood Teams. This may entail referral to the Neighbourhood Action Group for the area for cross partnership problem solving. All liaison will be documented.
- Assistance will be given to complainants in compiling evidence and making statements.
- Information will be made available in an accessible format and use of interpreters will be made where necessary.
- The Council and 2010 Rotherham Ltd will attempt to resolve a complaint without the need for formal legal action wherever possible. However, the Council and 2010 Rotherham Ltd will not hesitate in taking appropriate legal action, where it is reasonable and proportionate to do so. At all times the wide range of interventions will be considered for appropriate use.

The Council and 2010 Rotherham Ltd are committed to supporting witnesses and victims of anti-social behaviour.

Providing evidence at court

The Council and 2010 Rotherham Ltd will assist witnesses in attending Court and supporting them through the Court process and work with and liaise with the Court Witness Support Scheme.

Serious cases will be forwarded to the Council's Anti-Social Behaviour team in order for witnesses to be given support and assistance. The ASB team will provide out of hours support to complainants and witnesses in cases by making regular contact with them at times agreed with the complainants and by visiting them in their homes.

Practical help

The team has the ability to provide the following services for witnesses in an emergency:

- A help line for witnesses
- Dispersed alarms where necessary
- Video cameras to verify witness statements
- Re-housing (in very serious cases)
- Taking emergency legal action e.g. injunctions, interim anti-social behaviour orders.

Multi agency working may be carried out with partners of the Safer Rotherham Partnership, Registered Social Landlords and Private Landlords signed up to the Private Landlord Accreditation Scheme.

Witnesses and complainants will be notified in writing when a case is closed.

The Council and 2010 Rotherham Ltd will work in line with the Racial Harassment Procedures, the Homeless Strategy, the Housing Business Plan and the Community Plan.

8. TACKLING ANTI-SOCIAL BEHAVIOUR

The Council, 2010 Rotherham Ltd. and partners offer a range of services to tackle anti-social behaviour. It is the aim of the Council and 2010 Rotherham Ltd to prevent anti-social behaviour from occurring in the first instance or to resolve it without the need for legal action. For those who choose to continue with anti-social behaviour, the Council and 2010 Rotherham Ltd will take enforcement action to raise the quality of life for those whose lives are being spoilt.

8.1 PREVENTATIVE MEASURES:

Family Intervention Project

The Family Intervention Project (FIP) works with families in Rotherham who have reached crisis point and who may be likely to be facing the loss of their home without major changes in behaviour. The model is one of intensive and 'assertive support' that aims to tackle complex problems by providing a joined up package of services.

Reparation and Community Payback

The Council and 2010 Rotherham Ltd will continue to look for opportunities to involve both young and adult offenders by suggesting projects to improve local neighbourhoods. Projects can include removing graffiti, picking up litter or clearing undergrowth from public areas. These are visible projects where communities can see offenders paying back for their crimes.

Mediation

The Council and 2010 Rotherham Ltd will forward low level nuisance and anti-social behaviour to Rotherham Mediation Services where the complainant agrees. It is an impartial service which aims to negotiate a mutual understanding between parties.

Acceptable Behaviour Contracts

The Council and 2010 Rotherham Ltd will use Acceptable Behaviour Contracts against perpetrators where it is appropriate to do so. They are seen as an initial warning for those perpetrators whose continued anti-social activities could lead to obtaining an Anti-Social Behaviour Order.

Rotherham Wardens

Rotherham Wardens operate across the Borough and it is their role to reduce the fear of crime and to reduce the incidents of low level anti-social behaviour within the areas.

8.2 ENFORCEMENT

Safer Neighbourhood Teams

Strong partnership working to join the neighbourhood policing and neighbourhood management agendas operates in Rotherham to make our neighbourhoods safer. The teams have shared briefings and all partners are signed up to the Crime and Disorder Joint Protocol on information exchange. The Safer Neighbourhood Teams use community intelligence obtained through public meetings and statistical information to identify local key priorities and the actions needed to address low level crime, nuisance and anti-social behaviour.

Safer Neighbourhood teams include:

- Environmental Health Officers,
- Anti-Social Behaviour Officers,
- Enforcement Officers,
- Police Officers,
- PCSOs,
- Rotherham Wardens,
- 2010 Rotherham Ltd Neighbourhood Champions

Community Protection Unit

Community Protection have a crucial role in tackling anti-social behaviour and nuisance and have a statutory duty to investigate requests for service regarding certain types of anti-social behaviour and nuisance for example:

- Noise
- Anti-Social Behaviour

- Dust and smoke
- Animals
- Accumulation of rubbish
- Infestations of pests
- Filthy premises

Community Protection investigate, amongst other things, statutory nuisance and anti-social behaviour across all housing tenure, trade, business and industry, construction sites and activities in the street.

In addition Community Protection fulfils the Council's statutory enforcement powers and duties in relation to Private Sector Housing Enforcement, Enviro-Crime, s215 Town and Country Planning Act, High Hedges, Air Quality, Contaminated Land, Pest Control and Landfill.

The Community Protection Unit also fulfil the Council's functions in relation to the enforcement of legislation related to anti-social behaviour issues such as fly-tipping, litter, graffiti and dog fouling.

Community Protection have the power to serve Statutory notices requiring that a nuisance is stopped and does not occur or recur within a specified time period. The Notice may specify the works necessary to achieve this. Failure to comply with the Notice is likely to result in legal action.

Community Protection also provide a specialist role in addition to the above dealing with the more serious cases of anti-social behaviour where work by other agencies has failed. Anti-Social Behaviour Officers, Environmental Health Officers, Enforcement Officers and a seconded Police Officer take enforcement action against perpetrators and work to protect witnesses most at risk. Community Protection also takes preventative action and works closely with partner agencies, making referrals where appropriate to agencies such as Adult Social Services, Children and Young Peoples Services and the Youth Service.

Enforcement actions taken by officers include:

- Statutory Notices including Abatement Notices
- Fixed Penalty Notices
- Injunctions
- Demoted Tenancies
- Possession Proceedings
- Anti-Social Behaviour Orders
- Licensing Review - The Community Protection Unit and South Yorkshire Police have powers under the Licensing Act 2003 to review the licenses or ultimately close a licensed premises for reasons of continued nuisance, crime or disorder.
- Closure Orders – The Community Protection Unit and South Yorkshire Police have powers under the Anti-Social Behaviour Act 2003 as amended and Criminal Justice and Immigration Act 2008 to close down premises that are causing serious nuisance or disorder and the local authority has powers under

the to close any privately owned, rented, commercial or local authority premises where there is significant anti-social behaviour.

- 'Crack House' Closure Orders – The Community Protection Unit and South Yorkshire Police have powers under the Anti-Social Behaviour Act 2003 as amended and Criminal Justice and Immigration Act 2008 to close down premises that are veiled to be used for the production, supply or use of Class A drugs and have associated serious nuisance or disorder and the local authority has powers under the Criminal Justice and Immigration Act 2008 to close any privately owned, rented, commercial and local authority premises where there is significant anti-social behaviour.
- Dispersal Orders – South Yorkshire Police have powers under the Anti-Social Behaviour Act 2003 to designate an area as a Dispersal Area where there is persistent anti-social behaviour and a problem with groups causing intimidation. The Council and 2010 Rotherham Ltd will continue to work with the Police to identify potential areas.

Enviro-Crime Team

The Enviro-Crime Team fulfil the Council's functions in relation to the enforcement of legislation related to anti-social behaviour issues such as fly-tipping, litter, graffiti and dog fouling.

The principal sanction used by the team is fixed penalty notices.

2010 Rotherham Ltd

The Housing Champions deal with all aspects of tenancy management and nuisance complaints, involving the tenants and leaseholders of Council properties. The champions work closely with the Police, Community Protection Unit, Education Welfare, Youth Offending Service and other partners. Partnership working is primarily co-ordinated through the Safer Neighbourhood Teams and local neighbourhood management initiatives such as the Ambitions and Aspirations Programme. Their approach is one of prevention, early intervention and support for victims, witnesses and perpetrators; they also instigate enforcement action and refer those cases requiring legal and more in-depth enforcement action to the council's specialist Community Protection Unit.

Rehabilitation of Offenders

Where enforcement action has been taken to deal with anti-social behaviour consideration will be given to any necessary rehabilitation work for the perpetrator. The Council and 2010 Rotherham Ltd will work with other agencies to ensure that appropriate rehabilitation services are offered to those who have perpetrated anti-social behaviour. This could include:

- Referrals to Drug Action Team
- Rotherham Community Alcohol Service
- Mental Health Team
- Youth Services
- Youth Offending Services
- Adult and Children Social Services

- Youth Liaison Officer

Trained Staff

All front line staff working for the Council and 2010 Rotherham Ltd are trained in tackling anti-social behaviour, dealing with racial incidents, evidence gathering and recording. Further training is identified in their personal development review. Risk assessments are also carried out for the care and protection of staff.

9. TENANCY CONDITIONS

Rotherham Metropolitan Borough Council and 2010 Rotherham Ltd will make clear to new and existing tenants its policy on anti-social behaviour. The Council's Tenancy Agreement contains conditions aimed to ensure tenants do not act in an anti-social manner or allow other people residing or visiting to act anti-socially. As managing body for the Council, 2010 Rotherham Ltd has a right to take action to enforce the conditions set out if the tenant does not comply with them. All new tenants are advised of the conditions when they sign to accept the tenancy.

Rotherham Council Introductory and Secure Tenancy Conditions state that:-

- Tenants are responsible for the behaviour of every person living in or visiting their home (including children). Tenants are also responsible for them on surrounding land, in communal areas (stairs, lifts, landings, entrance halls, paving, shared gardens and parking areas and in the neighbourhood around their home.
- Tenants, other residents or visitors to their home must not behave in a way that causes or is likely to cause a nuisance, annoyance or disturbance to any other person in the locality of their home.
- If a tenant or a member of the tenant's family unilaterally withdraws from a Family Intervention Project, the withdrawal will be treated as evidence of anti-social behaviour.
- The tenant, other residents of their home or their visitors must not harass any other person in the locality of their home, harassment includes:
 - Racist behaviour or language that offends other people.
 - Using or threatening to use violence, including domestic violence.
 - Using abusive or insulting words or behaviour.
 - Damaging or threaten to damage another person's home or possessions.
 - Writing threatening, abusive or insulting graffiti.
 - Doing anything that interferes with the peace, comfort or convenience of other people.
 - Hate Crime

- The tenant, other residents or visitors must not cause damage to Council property or write graffiti on Council property. The tenant will be charged for the cost of repair or replacement
- The tenant other residents of their home or visitors must not interfere with any security and safety equipment in communal blocks. For example, by jamming security doors or fire doors open or letting strangers in without identification.
- The tenant, other residents or visitors of their home must not be violent or threaten violence against any person, residing with them or living in a Council house. Tenants must not harass, use mental, emotional, physical or sexual abuse to make anyone who lives there leave the home. If a person leaves the home because of domestic violence the Council may take action to end the tenancy.
- The tenant, other residents or visitors to their home must not use abusive or threatening language or act in a violent, aggressive or abusive manner towards the Council's members, officers or agents.
- Animals kept at a property must be kept under proper control so that they do not cause a danger nuisance or annoyance to your neighbours or anyone visiting the property or locality.

10. HATE INCIDENTS

The Council and 2010 Rotherham Ltd, do not tolerate any harassment or other incidents caused to someone because of their colour, race nationality, age, disability (including mental health or learning disability), sexuality, religious belief or faith, gender or gender identity.

We will take determined action against those who perpetrate any incident motivated by hate and prejudice against others including legal action where appropriate

We recognise that hate incidents can take many forms, ranging from verbal abuse to physical as well as attacks on homes and property. We have adopted the definition of hate crime recommended by the Association of chief police officers :

'Hate crimes are taken to mean any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised.'

Because of the nature and personal impact of hate incidents and crimes, a separate policy and procedure has been drafted for approval which acknowledges the seriousness of the incidents, the potential for escalation and the impact on communities as well as individuals

It is the Council and 2010 Rotherham Ltd's aim to encourage reporting, to prevent Hate Incidents and crimes from re-occurring, act quickly and give support to the victim and deal with the perpetrator in the most appropriate way.

We will support individuals who report by undertaking a vulnerability risk assessment for all victims who report to the Council and our partner agencies ensuring a consistent approach. Victims who wish to seek justice will be supported to report to the Police and through out the prosecution process via Victim Support.

We will identify community tension issues by working with partner agencies to monitor incidents.

Incidents of Hate Crime are monitored by the Safer Rotherham Partnership's Hate Crime officer and collated from across partner agencies on a weekly basis, with the information sent to bi weekly assessment and monthly tasking by a multi agency forum (Citizen Focus) to identify community tension issues.

11. DOMESTIC ABUSE

In Rotherham domestic abuse is defined as:

'Any incident or threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been, intimate partners or family members, regardless of gender or sexuality'

In addition the Council acknowledges that domestic abuse can form a pattern of coercive and controlling behaviour, that can cause its victims to live in fear. The Council also accepts that domestic abuse can impact on the wider community.

We will support survivors by undertaking a comprehensive risk assessment for all victims who access support from our partner agencies including the Independent Domestic Violence Advocacy Service. Victims who wish to seek justice will be supported to report to the Police and through out the prosecution process.

The Council is committed to working in line with the Domestic Violence strategy and working with other agencies to offer support to the victim. The Council has a duty under the Homeless Act 2002 to treat people claiming homelessness due to the threat of violence as a priority need. The Council is also a part of South Yorkshire's Specialist Domestic Violence Court Initiative, which ensures that victims of domestic abuse receive a co-ordinated agency response to reduce the risk they and their children face. The Council, alongside its partner agencies, strongly supports the Multi Agency Risk Assessment Conference for high risk victims

12. PUBLICITY

Any action taken will be publicised where it is deemed reasonable and necessary to do so. The general public need to know what a perpetrator is and is not allowed to do and to reassure the community that action is being taken to stop anti-social behaviour.

13. THE SAFER ROTHERHAM PARTNERSHIP

The Council is committed to working with partners and forms an integral part of the Safer Rotherham Partnership. The Partnership takes a robust approach to tackle all forms of anti-social behaviour across the borough and to raise community confidence. The formulation of the Safer Neighbourhood Teams has assisted and

14. RISK ASSESMENT

encouraged multi agency working between partners including Young People's Services, The Rotherham Crime Reduction Programme, Social Services, Youth Offending Service, the National Probation Service, South Yorkshire Fire and Rescue Service, South Yorkshire Police, Education Services and Victim Support.

We will ensure that appropriate action and resources are given to tackling anti-social behaviour. We recognise that failure to deal with the issue could lead to customers being at risk, feeling threatened and not being able to enjoy the quiet enjoyment of their home and locality.

The Council and 2010 Rotherham Ltd. recognises that for many people it is difficult for them to come forward and complain about the behaviour they are experiencing. It is therefore important that we offer support to complainants and act quickly for those who are too frightened to give evidence.

15. POLICY REVIEW

This policy will be reviewed no later than September 2012 with further reviews on a 2 yearly basis.

‘If you or someone you know needs help to understand or read this document, please contact us’:



Minicom: 01709 823536

Slovak

Ak vy alebo niekto koho poznáte potrebuje pomoc pri pochopení alebo čítaní tohto dokumentu, prosím kontaktujte nás na vyššie uvedenom čísle alebo nám pošlite e-mail.

Slovensky

Kurdish Sorani

ههگهر تو یان كه سیک كه تو دهیناسی پیویستی بهیارمهتی هه بییت بو نهوهی لهم بهنگهنامه یه تیبتگات یان بیخوینیتهوه، نكایه پهیوهندیمان پیوه بکه لهسهه نهو ژمارهیهی سههوه هدا یان بهو نیمهیله.

کوردی سۆرانی

Arabic

إذا كنت أنت أو أي شخص تعرفه بحاجة إلى مساعدة لفهم أو قراءة هذه الوثيقة، الرجاء الاتصال على الرقم اعلاه، أو مراسلتنا عبر البريد الإلكتروني

عربي

Urdu

اگر آپ یا آپ کے جاننے والے کسی شخص کو اس دستاویز کو سمجھنے یا پڑھنے کیلئے مدد کی ضرورت ہے تو برائے مہربانی مندرجہ بالا نمبر پر ہم سے رابطہ کریں یا ہمیں ای میل کریں۔

أردو

Farsi

اگر جناب عالی یا شخص دیگری که شما اورا می شناسید برای خواندن یا فهمیدن این مدارک نیاز به کمک دارد لطفا با ما بوسیله شماره بالا یا ایمیل تماس حاصل فرمایید.

فارسی

DRAFT