

Chapter 7: Antisocial behaviour



All tenants are responsible for the behaviour of members of their household and visitors. You are breaking the conditions of your tenancy agreement if anyone in your home causes alarm, distress or nuisance, or annoyance to anyone in the area or around your home.

What is antisocial behaviour?

The 1998 Crime and Disorder Act defines antisocial behaviour as acting 'in a manner that has caused, or is likely to cause, harassment, alarm or distress to one or more persons not of the same household as the defendant'.

Antisocial behaviour comes in many different forms ranging from low-level nuisance to serious harassment. All antisocial behaviour can damage people's quality of life and interfere with their ability to use and enjoy their home or community.

This includes nuisance and harassment due to the following. This is not a complete list.

- Race
- Gender (a person's sex)
- Sexuality
- Religious beliefs
- Disability
- Age
- Drug abuse
- Using the property for illegal or immoral purposes, including prostitution
- Rubbish
- Offensive phone calls and malicious letters and other items
- Vandalism
- Youth nuisance (children and young people)
- Pets, for example, dogs fouling and constantly barking
- Gardens – disagreements and overgrown gardens
- Other reasons

If you have problems with any of the above, you should call the council's antisocial behaviour phone line on **0845 671 1177**.

For problems with abandoned vehicles, call **0845 073 6904**. For problems with noise, visit any of the council's Customer Services Centres to make a report or phone on **0845 055 0921**. You can also call the noise control service (there are more details on page 74).

Reporting antisocial behaviour

If you have problems with your neighbours, it is often best to talk to them yourself if you can, and if it is safe to do so. If you can't or if this doesn't work, you should report the problem (see below).

To deal with your problem, it is important we get as much detail as possible. You should keep a record of incidents and include dates, times and whether there were any witnesses. You can get nuisance 'diaries' from your tenancy management officer, Customer Services Centres or the antisocial behaviour action team. These can help give us the evidence we need to take action against antisocial tenants.

To report antisocial behaviour:

- phone the council's antisocial behaviour phone line on **0845 671 1177**; or
- contact your local housing office or Customer Services Centre.

You should always report serious acts of violence, including domestic violence, to the police.

The antisocial behaviour action team

Haringey Council has a specialist team that assesses all reported cases of antisocial behaviour. The team contains antisocial behaviour officers, a police officer and a solicitor. It deals with the more serious, persistent or complicated cases, or those cases which may need legal action.

Other cases are referred to our tenancy management staff who will deal with the problem.

How your report will be dealt with

We will record your report and give you a case reference number. We will pass your report to the council's antisocial behaviour action team (see below).

The antisocial behaviour action team's staff will contact you to take more details. They will decide whether the matter should be investigated by them or your tenancy management officer, or be referred to another agency.

How your case will be investigated

An officer from the antisocial behaviour action team will contact you to arrange an interview. The team aims to contact you within **24 hours**, and arrange an interview with you within **10 working days or sooner if the matter is very serious**.

The officer will discuss how the problem can be dealt with. They will discuss any concerns you have about the safety of you or your family. We will take a victim-centred approach (that is, take your report as being the truth) and agree an action plan with you, setting out what we can do to tackle the problem.

Where possible, if there is enough evidence, we will take legal action against the person carrying out serious acts of antisocial behaviour. Other cases may be referred to our tenancy management staff for action.

Homes for Haringey and the antisocial behaviour action team work closely with agencies such as the police, the youth offending service and the education service to reduce the level of antisocial behaviour in the community. Some of these agencies can offer support to those involved in the antisocial behaviour.

It is also possible to use an independent mediation service to sort out disagreements in suitable cases.

The respect standard for housing management

This is a set of commitments around tackling antisocial behaviour that the Government has asked all social landlords to sign up to. By signing up to the standard, we have made a public promise to tackle antisocial behaviour and its causes, and to help create a culture of respect in Haringey.

We will be working with residents, the antisocial behaviour action team, the police and other organisations to deliver the following six commitments.

- Making a clear commitment to the community so that people know that we take antisocial behaviour seriously and how we will tackle it.
- Involving residents in making decisions about how to tackle antisocial behaviour on a local and borough-wide level.
- Getting involved early on, dealing quickly with antisocial behaviour and trying to prevent it from happening.
- Making it as easy as possible to report and give evidence about antisocial behaviour, and providing support to victims and witnesses throughout the process.
- Understanding and effectively and quickly using the different ways to tackle antisocial behaviour.
- Finding ways to tackle the causes of antisocial behaviour.

What happens if you commit antisocial behaviour?

If you, members of your household or visitors cause harassment, nuisance, annoyance and other types of antisocial behaviour, we may take legal action against you. Some examples of behaviour which is likely to cause a nuisance, harassment and annoyance are:

- banging doors, shouting, playing loud music;
- allowing family members to behave in an unruly way;

- putting graffiti on council property;
- abuse because of someone's colour, age, race, sexuality, gender or disability;
- threats or acts of violence to other people;
- aggressive gestures;
- verbal abuse such as name calling; and
- making false complaints.

Action we may take

If you continue to cause antisocial behaviour, we will consider taking further action against you, including the following.

Acceptable behaviour contracts

These contracts are a voluntary agreement between the person causing the antisocial behaviour, the antisocial behaviour action team and the police. If the behaviour concerns a young person between the ages of 10 and 17, their parent or guardian will also be asked to sign the contract. Breaking the agreement can lead to further legal action being taken.

Parental guidance agreements

These are similar to acceptable behaviour contracts but are used if the person causing the antisocial behaviour is aged under 10. These agreements are signed by the parents of the child causing the problems, the antisocial behaviour action team and the police. Breaking the agreement can lead to further legal action being taken.

Injunctions to prevent the behaviour

A court can award an injunction to stop someone committing harassment or antisocial behaviour. If the harassment or antisocial behaviour continues, that person could be sent to prison.

Antisocial behaviour orders

These court orders are to prevent antisocial behaviour. If someone breaks the terms of an order, they could be sent to prison.

Individual support orders

These are civil orders for 10- to 17-year-olds which set positive conditions designed to tackle the causes of a young person's antisocial behaviour.

Demoted tenancies

If the terms of a secure tenancy have been broken due to antisocial behaviour, the council may apply to the court to downgrade the tenancy from a secure tenancy to a demoted tenancy. Breaking the terms of the demoted tenancy will lead to immediate eviction from the property.

Eviction

A court can award an outright possession order if a tenant has caused antisocial behaviour. This order allows the council to evict the tenant from the property.

We or the antisocial behaviour action team will take legal action, on behalf of the council, against tenants who continue to commit antisocial behaviour, or allow it to be carried out. **If we take this action, you risk losing your home.**

Noise problems

Noise nuisance is a very serious issue and we try to do everything we can to deal with noise problems that affect our residents. Haringey Council's **noise control service** deals with noise nuisance on our behalf.

If it is safe and you are happy to do so, we advise that you speak to the person causing the noise first. If this does not work, you should report the problem to the noise control service. If you are still having problems with noise, speak to your tenancy management officer.

If you or someone in your household causes a disturbance or nuisance to your neighbours, we may take court proceedings against you and you could lose your home.

How to report problems with noise

If you are a victim of noise nuisance, contact the noise control service on the following numbers.

- During office hours: **0800 195 3404**
- Outside office hours: **020 8348 3148**

How we will deal with noise problems

The noise control service will:

- visit you if the noise is happening at the time;
- send a warning letter if they witness the noise; and
- serve an abatement notice if they witness the noise again within six months.

A **noise abatement notice** can:

- demand that the nuisance stops;
- prevent the nuisance from happening again; and
- fine the person £5,000 if they do not keep to the terms of the notice.

The notice will stay in force as long as the person lives in the council's accommodation.

To report an ongoing noise problem, such as industrial machinery, you should call us or use the on-line form on our website at www.homesforharingey.org.

If the noise is happening now, we suggest you call us on the numbers above. The on-line form is not suitable for reporting a noise problem that needs an immediate response.

Customer satisfaction

We value your comments on our service. We will send you a customer satisfaction form after we have investigated your case fully. We use your replies to analyse our performance and improve the service we provide.

Our employees

You or anyone staying in or visiting your home must not obstruct, abuse, threaten or assault our employees or any employees working on our behalf at any time. You may be breaking your tenancy agreement if you do so.

