



What is ASB

 www.k-h-t.org

 0151 290 7000

If you have difficulty reading this document we can provide it in other formats and languages.

Contact us on 0151 290 7000 for more information.

What is ASB?

What is Anti Social behaviour?

Anti Social Behaviour as defined by crime and disorder act 1998 is “Acting in a manner that causes or is likely to cause harassment, alarm or distress.”

The term “anti-social behaviour” covers a wide remit of inconsiderate, unacceptable and criminal activity that can blight the quality of community life. Terms such as ‘nuisance’, ‘disorder’ and ‘harassment’ are also used to describe some of this behaviour, however KHT recognises that there is no single definition of ASB.

ASB can include but is not limited to:

- Loud and frequent Noise disturbances
- Verbal abuse/harassment/intimidation/threatening behaviour
- Hate related incidents (Race, Colour, ethnic origin, nationality, Religion, Gender or gender identity, Sexual orientation, Disability, Age, drug addicts, rough sleepers etc).
- Vandalism and damage to property
- Pets and animal nuisance
- Nuisance from vehicles
- Drugs/substance misuse/drug dealing
- Alcohol related behaviour
- Domestic Violence/Abuse
- Physical violence
- Litter/rubbish/fly tipping
- Garden nuisance
- Misuse of public/communal areas
- Prostitution/sexual acts/kerb crawling
- Criminal behaviour

What is ASB?

KHT's tenancy agreements sets out responsibilities of our tenants, which is:

Not to cause, commit or allow anyone living with you, or your visitors to cause or commit any act or omission in your home, in communal areas, on surrounding land or in the locality of your home which is, or is likely to:

- Be a nuisance or annoyance to ; and/or
- Interfere with the peace and comfort of: and/or
- Cause injury or offence to: and/or

What is not considered to be Anti Social Behaviour?

Not all complaints that KHT receive are classified as being ASB and are considered to be everyday living noises and lifestyle differences:

Examples include:

- One off parties
- Children playing out with each other or playing in their own gardens
- People Vacuuming or using their washing machines at reasonable times of the day,
- Cooking smells
- People walking across wooden floors whilst wearing shoes
- DIY at reasonable hours of the day.

What should you do if you are experiencing ASB

It may be possible to deal with the problem yourself, depending on circumstances:

- Ask yourself if your neighbour has a different lifestyle or culture to you and is their actions really unreasonable

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- If it feels safe to do so, speak to the neighbour directly. This often solves the problem at an early stage
- If you feel the above approaches are not working or suitable, we advise you report the ASB to KHT.

How can you report ASB to us?

If customers and private residents within KHT neighbourhoods are suffering from any form of ASB they are encouraged to report the problem as soon as possible. You can report ASB in the following ways:

- Ring your Anti Social Behaviour Housing Officer on **0151 290 7000**
- Email us at **asb@firstark.com**
- Drop into a neighborhood office
- Via KHT website **www.k-h-t.org**
- Via android phone App
- Ask a third party/friend to report it on your behalf or come with you for support
- We will accept anonymous reports and investigate them to the best of our ability.

All complaints made will be treated in the strictest confidence. The identity of any complainant will not be revealed unless consent is obtained.

What will we do with each complaint received?

- Record the complaint and issue you with a named investigating officer and case reference,
- Interview you face to face in a location of your choice and develop an action plan in agreement with you, this may include actions for the complainant to complete such as keeping a nuisance diary,

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- Complete a risk assessment for each complainant, and provide you with direct support and advice from your investigating officer or if appropriate refer you to additional support service
- Challenge the perpetrator - only with your approval and permission and warn them about their behavior
- Keep you regularly updated on your case in a manner tailored to you.

You should be prepared to work with KHT to help resolve complaints

This may include:

- Keeping a nuisance diary
- Taking part in mediation
- Contact Merseyside police where a crime has been committed or there is a immediate risk
- Installation of noise monitoring equipment for evidence gathering purposes
- Being prepared to act as a witness if legal action is required.

It is important to remember KHT will work in partnership with you to address the problems you are suffering and that you are not alone.

If you continue to have problems and report them to your KHT investigating officer we will consider what action needs to be taken against the perpetrator. We have a range of powers available to use, which are both legal and non legal.

Your investigating officer will decide which is best to use depending on the details of each individual case. This will be recorded and discussed via your regular action plan contact.

If a perpetrator continues to act anti-socially for some time, we may use more than one of these actions throughout the case.

KHT will take an incremental approach to dealing with ASB based on severity and frequency of incidents.

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Once your case has been escalated to a Tenancy Enforcement Officer, they will meet with you to review the case to date and go through your nuisance diaries and turn them into a witness statement. This allows for the officer to be aware of the detail of the case, to assess what is the most appropriate legal remedy to utilise.

Legal remedies

Legal remedies available to KHT are:

- Legal undertakings
- ASB injunction with/without a power of arrest
- Anti Social Behaviour orders (ASBO),
- Parenting order
- Demoted tenancy orders
- Possession proceeding
 - Suspended possession order
 - Possession order resulting in Eviction

NB Eviction is the last course of action and not obtained lightly.

It is important to be aware that once KHT gets to the stage of legal action, we become reliant on the timescales and decisions of the judicial system.

KHT will do everything in their power to address the behaviours of perpetrators in a timely manner and via the complainants desired outcome. However this is not always possible, and your investigating officer will ensure that you are given a realistic expectation of outcome as your case is consistently reviewed.

Additional support services from KHT?

KHT is committed to encouraging and supporting any resident who takes a stand against perpetrators of ASB, that we offer additional support services including targeting hardening and emotional support. For full details these services are explained in **KHT Witness encouragement & Support leaflet**.

What is ASB?

Out of hours service

KHT Tenancy enforcement team, do not operate out of hours. Should residents experience any ASB they can report this to KHT via KHT contact center on **0152 290 7000** Mon –Friday 8am-8pm and Saturdays 9.30am-1.00pm alternatively you can report via the 24 hours methods of : Email us at **asb@firstark.com**, KHT website **www.k-h-t.org**, On digital TV channel and an officer will contact you as soon as possible.

If you are currently working with a dedicated investigating officer, contact them first thing the next available day, ensuring you have recorded the incident in your nuisance diary. If the ASB being experienced is serious and requires immediate assistance call Merseyside police on either 101 (non emergency line) or 999 for emergency response.

Case closure

Regardless of at what stage, (non-legal/legal action) your investigating officer will discuss the proposal of closing your case directly with you to confirm that all appropriate actions have been taken and the problems you were experiencing have been resolved. If you are not happy for the case to close but your investigating officer feel that all reasonable actions have been taken, you can request for the case to be reviewed by the Tenancy enforcement management.

Customer review of the service

When a case is closed, a Customer Satisfaction Questionnaire is completed with all complainants by telephone or in writing, to enable KHT to establish how satisfied our customers have been with the handling and outcome of their ASB case and if KHT has resolved the problems that was being experienced.

Customer satisfaction levels with the ASB service provided by the Trust, is a key performance target. The opinions of our customers enable us to continually improve and evolve the service. Where possible, comments and suggestions by customers will be taken into account in future service provision regarding ASB, and levels of satisfaction will be monitored.

Remember

You are not alone, KHT will work in partnership with you to address the problems you are suffering.