

## Making a complaint of anti-social behaviour

Anyone can make a complaint about ASB to Severn Vale Housing Society. This includes tenants, shared owners, private tenants, owner occupiers, other social housing tenants, Tenant Associations, Parish councils, the Local Authority, District Councillors, Health professionals and other voluntary and statutory agencies.

Here is a PDF copy of our nuisance diary sheet

### Nuisance Log Sheet

Complaints can be made in a number of ways:

- In person
  
- By letter
  
- By e-mail
  
- To staff on estates
  
- Through another person or agency
  
- By telephone
  
- At the office

Anonymous complaints will be recorded, although it may not be possible to act on them, but they can be used to build up information about ASB in a given area.

Complaints should be made to the Anti-Social Behaviour Team Officers, Vicky Stephenson, David Sellwood and Stewart Chandler who can be contacted on 01684 272732, 01684 272737 and 272729 respectively. You can also contact any other member of staff who will pass the complaint to the relevant Officer.

When a complaint is made we will explain to the complainant how the complaint will be dealt with and the procedures which will be followed. Where appropriate we will also advise complainants to report the incident to other agencies such as the Police.

How complaints are processed

- If a complainant reports ASB personally by telephone or at the office then we will take full details of the complaint and will establish whether other agencies are involved or should be involved.

We will explain our general procedures for dealing with ASB (see attached flowchart) and will explain how the complainant's particular problem will be dealt with giving timescales.

- Where a complaint is received, other than in person, the Housing Officer will attempt to contact the complainant within 1 working day by telephone to acknowledge receipt of your complaint and to discuss the case and explain procedures. Where it is not possible to make contact Housing Officer will acknowledge receipt of the complaint in writing within 3 working days, wherever possible, asking the complainant to ring the office to discuss the issue.
- Where cases of Racial Harassment, violence or potential violence are reported, whether in person or by other means, contact will be made with the complainant the same day by visit if necessary.
- When a complaint is received it is logged onto the computer monitoring system within 24 hours.
- When a complaint is received we, after discussing all the facts, will agree an action plan with the complainant.
- In most instances the action plan will involve the collection of evidence recorded on diary sheets for a 2 week period.
- After this initial stage then the case and its evidence will be reassessed together with any evidence from other sources and options which may be pursued will be discussed with the complainant and will form the next action plan.
- Throughout the investigation of the case the complainant will be kept informed by the Housing Officer of all progress in the case, any action taken and the outcome of that action. Progress may be reported by telephone and will be confirmed by letter.
- If at any stage the case cannot be progressed either due to lack of evidence or for other reasons then the complainant will be notified in writing that this is the case and the reasons why. Cases will then be formally closed.
- Where a case has been closed it can be re-opened if a new complaint is received and this will be explained to all complainants.

### Support for Complainants

We recognise the difficulties faced by those complainants who report ASB and will support them in the following ways:

- By offering Housing Officer support
- By being realistic about what is and is not possible
- By helping the complainant address aspects of their behaviour if this is affecting or encouraging ASB

- By referring complainants to specialist support groups where appropriate, such as victim support
  
- By involving other agencies such as the Police to deter perpetrators
  
- By carrying out risk assessments in consultation with complainants to ensure their safety and by installing protection measures where needed.
  
- By offering witness support
  
- By accessing translation or other services
  
- By increasing Officer presence on estates where appropriate
  
- By accompanying and transporting witnesses to court and supporting them through the proceedings
  
- By offering support to witnesses after court proceedings are over
  
- By operating sympathetic allocation and lettings policies and by providing in conjunction with the Local Authority temporary and permanent re-housing to complainants at risk

#### Complaints procedure

At anytime during the ASB procedure any complainant who is not happy with the way in which their case is being dealt with can complain.

This can be done internally using our complaints procedure or once this has been exhausted externally to the Housing Ombudsman.

Options available to Social Landlords (legal and non legal)

Where ASB is a problem in an area or a complaint has been made and investigated there will be a number of options both legal and non legal open to us. These actions include:

- No action due to insufficient evidence
  
- No action as the activity complained of is not anti-social within the law
  
- No action as the complaint is malicious or frivolous
  
-

The complainant will be encouraged to talk directly to the perpetrator before we become formally involved if the complainant is happy to do this and it seems that this may resolve the problem

- We write to the alleged perpetrator and explain that their behaviour is causing distress. Often this initial contact causes the ASB to stop as the perpetrator is not aware that their behaviour is causing a problem
- A home visit by the Housing Officer to discuss the alleged ASB, in the hope that this will resolve the issue without further action
- Mediation can be arranged, where both parties want to try and resolve the issue
- Visits to alleged perpetrators who are under 18 to discuss their behaviour with them and their parents.
- Joint visits by Housing Officers and other agencies e.g. the Police to discuss the alleged ASB, and to remind the tenants of their tenancy obligations in the hope that the ASB will not be repeated.
- Joint visits by Housing Officers and the Police to invite perpetrators to enter into Acceptable Behaviour Contracts
- Anti-Social Behaviour Orders (usually agreed through the Crime and Disorder Reduction Partnership group)
- Injunctions (including ex parte orders) and exclusion orders
- Powers of arrest where appropriate
- Undertakings prior or at Injunction proceedings
- Starter Tenancies in high ASB areas
- Local Lettings Policies in high ASB areas
- Possession proceedings
- Demoted Tenancies
- Suspended or Outright orders

- Eviction

As we work in Partnership with other agencies we will, where appropriate, bring incidents of ASB to the ASB group so that a joint approach and action can be agreed by all agencies involved with the perpetrators. This action will usually involve all agencies working together with the individual and the family to ensure that ASB is not repeated or continued and only after all other efforts fail will legal action be pursued.

All cases where legal action is a possibility will be discussed with our specialist solicitors in ASB so that the most appropriate and effective action is pursued.

Monitoring the ASB service

The ASB service will be monitored to:

- Evaluate the effectiveness of specific initiatives e.g. local lettings plans
- To identify key issues and priorities
- To understand the nature and location of areas where ASB is prevalent
- To distinguish between different types of behaviour, which could be categorized as ASB
- Record all incidents of a racial nature

All ASB will be recorded and monitored on our IT system. Each incident of ASB will be given a unique number and details of the complainant and perpetrator will be logged together with the type of ASB reported together with the area it which it occurred. The progress of the case will also be diarised together with all actions taken and the outcome of those actions. Cases will be monitored on a weekly basis and cases will be closed and signed off at the end of each month so that we have an accurate figure for open cases, new cases and closed cases.

When a case is closed we also send out a questionnaire to the complainant asking for full feedback. We ask how the case was handled to ensure that we consistently provide the best service possible in the circumstances.