



# Antisocial Behaviour

Identifying, Reporting and Resolving Issues

# Identifying

## What is antisocial behaviour?

Antisocial behaviour (ASB) is defined as “Acting in a manner that causes or likely to cause alarm, distress, nuisance or annoyance to any person or causing damage anyone’s property or pursuing a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them”. Conduct does include speech, and a course of conduct must be on at least two occasions.

At Ochil View we believe all tenants have a right to live in their home peacefully. We are, therefore, committed to taking all issues seriously and resolving them in the earliest possible time.

## How do you know what is or isn’t antisocial behaviour?

The table below gives some examples of behaviour that might help you to decide whether to report an incident as antisocial behaviour or as criminal behaviour. It also gives examples of behaviour that is not classified as antisocial behaviour and would be a tenancy matter or a lifestyle difference. If your complaint relates to a lifestyle difference, we may not be able to take any formal action, but we will offer advice and will consider any appropriate options.

If you are unsure whether to make a report to us or another agency, just give us a call and we will do our best to advise you.

| Nature of Incident                                                                            | ASB | Criminal | Tenancy Matter | Lifestyle |
|-----------------------------------------------------------------------------------------------|-----|----------|----------------|-----------|
| Racial or Hate Crime & Physical or threats of violence                                        | ✓   | ✓        |                |           |
| Drug Dealing                                                                                  | ✓   | ✓        | ✓              |           |
| Drug Use within the home                                                                      |     |          |                | ✓         |
| Life style e.g domestic noise or odours caused by smoking                                     |     |          |                | ✓         |
| Excessive noise e.g. Loud music, parties, visitors                                            | ✓   |          |                |           |
| Noise from children playing in or near their home & Adults or children arguing or falling out |     |          |                | ✓         |
| Parking Issues                                                                                |     |          |                | ✓         |
| Fly Tipping                                                                                   | ✓   |          | ✓              |           |
| Vandalism                                                                                     | ✓   | ✓        |                |           |
| Animal Nuisance                                                                               |     |          | ✓              |           |

# Reporting

## How do I report ASB?

- Tel: 01259 722899
- Email: [housing@ochilviewha.co.uk](mailto:housing@ochilviewha.co.uk)
- My Home tenant portal: [www.ochilviewha.co.uk](http://www.ochilviewha.co.uk)
- In writing

## What happens when I report ASB?

We will treat all reports of antisocial behaviour seriously and will deal with the matter sensitively and in confidence.

When you report ASB, we must gather as much information as possible. This will include:

- Talking to you and obtaining information about the incident
- Discussing with any other neighbours or witnesses who may be able to help
- Talk to the person causing the ASB, if they are one of our tenants
- Contact other organisations, such as the Police or Local Authority

If you do not want us to contact the person causing the ASB, then we will respect your decision, however, this will make it difficult for us to take any action. If the matter is criminal, then we will report this to the Police.





# How quickly will your complaint be dealt with?

We recognise that antisocial behaviour can have a serious effect on complainants and therefore aim to respond as quickly as resources allow. We acknowledge that complaints not addressed promptly may lead to escalation, we therefore set out the following timetable for response.

| Type 1 – Extreme                                                            | Type 2 – Urgent & Persistent Behaviour                          | Type 3 – Nuisance & Other Breaches of Tenancy               |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------|
| Physical Violence                                                           | Noise (e.g. loud music, parties)                                | Domestic Noise                                              |
| Drug Dealing (e.g. noisy disruptive visitors, threats, criminal conviction) | Frequent Disturbances                                           | Animal Related Issues                                       |
| Racial and/or Hate Crime                                                    | Threatening Behaviour                                           | Fly Tipping/Rubbish Issues                                  |
| Threats of Violence                                                         | Vandalism to the Property                                       | Communal Living Issues (e.g. stair cleaning or car parking) |
| Significant Escalation of Issues                                            | Drug Related (comings and goings or conviction for cultivation) | Lifestyle Issues & General Disputes                         |
| Target For Resolution                                                       | Target For Resolution                                           | Target For Resolution                                       |
| 10 Working Days                                                             | 15 Working Days                                                 | 20 Working Days                                             |



# Resolving

## What action will be taken?

We will speak to all concerned to ensure we gather all the relevant information, the more evidence we have the easier it is to resolve the problem. All conversations are confidential.

There are limits to the actions we can take when a tenant behaves in an antisocial manner. In all but the most serious cases, our first steps will involve warnings about unacceptable behaviour.

This will be carried out by speaking to the person where possible and confirmed in writing. We can look at other non-legal remedies such as mediation or an Acceptable Behaviour Contract.

We cannot evict a tenant without first warning them that their behaviour is unacceptable or serving them with a notice that we intend to take them to court and then applying for a court hearing. Even in the most extreme cases this process takes time. We then must provide robust evidence to the Sheriff that it is reasonable to evict the person because of their behaviour.

We can investigate other legal remedies such as conversion to a Short Scottish Secure Tenancy agreement.

We will keep you advised on progress throughout any investigation and follow up action. We will advise you of the action we plan to take and when our investigations are closed for example when we have taken appropriate action or because we cannot find a basis on which, to proceed further.

Once a complaint is closed and we do not receive further complaints within a 6-week period, we will carry out a follow up call with the complainer to ensure matters have been resolved.



What can you do?

You can contact us to report an issue as soon as possible. If the matter is a criminal activity, then call Police Scotland immediately. We will be able to check with the Police when we start to gather evidence. Please be careful and do not get involved with any antisocial behaviour that may put you at risk.

If it is excessive noise that you are experiencing, then the Noise App is a quick and easy way to record noise which, is causing an annoyance or nuisance. It instantly records noise nuisance on your smartphone to create an accurate record of the problem and how it is affecting you. Once recorded this is sent to Ochil View and we can investigate. The recordings are uploaded onto a secure site and your Housing Officer can make a judgement of the noise and what is necessary. If you wish more information on downloading the Noise App and how to use it, please speak to the Housing Team.

Write down everything that has happened as soon as possible, whilst it is fresh in your mind, including:

- Who was involved and where it took place
- Anyone who might have seen what happened
- The date and time it took place
- Who it was reported to e.g. the Police
- Crime reference number provided by Police Scotland if applicable

To help you record incidents we have included with this leaflet a detachable diary which, can be used to help guide you.

Other useful telephone numbers

Police Scotland 101 (if it is an emergency dial 999)

Victim Support Scotland 0800 160 1985

Child Protection (NSPCC Helpline) 0808 800 5000

Crimestoppers (information can be given anonymously 0800 555 111

Scottish Women’s Aid 0800 027 1234



## Diary:

[illegible]

## Diary:

[illegible]