

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg*

**City of Cardiff Council  
(Landlord Functions)  
Anti-Social Behaviour  
Summary of Policy & Procedure**

Housing & Communities Service

**April 2016**

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## 1. Introduction

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By law Cardiff Council, as a landlord, has to publish A Statement and Summary of Policy and Procedure about how we deal with anti-social behaviour involving our tenants. Both these documents are available free of charge at the Hubs and on the Council's website.

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### Definition of Anti-Social Behaviour

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Anti-social behaviour is behaviour causing harassment, alarm or distress to:

- members or any member of the public, or
- persons not of the same household.

Anti-social behaviour includes:

- Violence or threats of violence and actual assault
- Intimidation and harassment
- Hate crime or behaviour
- Drug related offences
- Noise and other neighbour nuisance
- Local environmental quality issues such as fly-tipping, vandalism and graffiti
- Illegal or immoral use of residential premises
- Aggressive and threatening language and behaviour

**ASB is not:**

- Children playing in the street
- Young people gathering socially
- Being unable to park outside your home
- DIY and car repairs unless at unsociable hours
- Annoying or occasional behaviour e.g. one-off parties

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### Anti-Social Behaviour Policy Statement

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Anti-social behaviour is unacceptable in our neighbourhoods and we will:

- Not tolerate anti-social behaviour by or against our tenants, and their families
- Put victims first
- Ensure tenants and leaseholders know the behaviour expected of them
- Make it is easy to report anti-social behaviour
- Treat reports of anti-social behaviour seriously and professionally
- Carry out a careful and thorough investigation
- Provide realistic expectations
- Support perpetrators to change their behaviour
- Take appropriate action at the right time
- Work with others to prevent and tackle anti-social behaviour.

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## **2. Tenant and Landlord Responsibilities**

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### **Tenant Responsibilities**

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Tenants are responsible for the behaviour of themselves, their household and visitors. Their Tenancy Agreement says how they must behave.

The Agreement says that the tenant is responsible for the behaviour of everyone living in and visiting their home, the neighbourhood and the area around their home.

The tenant must not act in, or let their household or visitors act, in an anti-social way to anyone in the neighbourhood including:

- playing loud noise e.g. from television, computers or DIY
- arguing, door slamming
- dog barking and fouling
- illegal drug activity and prostitution
- rubbish or litter dumping
- abusive or insulting words or behaviour including hate language and behaviour
- threats of, or use of, violence
- threats of or damage to person's home and possessions
- threats of or damage to Council property
- writing threatening, abusive or insulting graffiti
- threaten or engage in domestic abuse

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### **Landlord Responsibilities**

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As a landlord the Council will take firm action to eliminate anti-social behaviour.

Our response to anti-social behaviour will be to:

- Provide support to victims
- Offer and provide support to vulnerable victims and perpetrators
- Be proportionate
- Work with perpetrators to help them change their behaviour
- Act against perpetrators who continue to be anti-social
- Work with the police to share and gather evidence
- Take Legal Advice to take the most appropriate action to solve the problem.

### **Tenancy Types**

The Council uses three forms of tenancy to prevent and remedy antisocial behaviour:

- Introductory,
- Secure, and
- Demoted.

Tenants have different rights depending on the type of tenancy they hold. New social landlord tenants have an Introductory Tenancy. This is a trial tenancy and if the tenant keeps to their tenancy agreement they will become Secure tenants after one year.

Secure tenants have the most rights and the best protection against eviction of all Council Tenants. However, if a secure tenant breaks their tenancy agreement by behaving in an anti-social way the Council can ask a court to change their tenancy to a Demoted Tenancy. This tenancy gives the tenant less rights and less protection against being evicted. If the Demoted Tenant keeps to their tenancy agreement they will return to being a Secure Tenant after one year.

### **Supporting Staff**

The Council will:

- Provide training, systems and support to employees to tackle anti-social behaviour
- Provide training and systems to maintain the health and safety of employees and agents
- Not tolerate threats, intimidation or violence against employees or agents taking legal action including eviction where necessary
- Carry out risk assessments and take preventive and protective action where necessary.

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## **3. Tackling Anti-Social Behaviour**

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### **Reporting Anti-Social Behaviour**

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#### **Reporting Loud Noise**

Anti-social behaviour caused by loud noise can be reported by:

 029 2087 1650

 [Noise&AirPollution@cardiff.gov.uk](mailto:Noise&AirPollution@cardiff.gov.uk)

A night service is available Friday and Saturday from 8pm until 2am.

#### **Reporting other Anti-Social Behaviour**

As a landlord we can assist in taking action against tenants or leaseholders who are behaving in an anti-social way. You can report it to us in person at any of our Hubs or contacting the Anti-Social Behaviour Team:

 029 2053 7111

 [ASBReferral@cardiff.gov.uk](mailto:ASBReferral@cardiff.gov.uk)

Serious anti-social behaviour is a crime and should be reported to the police by phoning 101, or in an emergency, by phoning 999.

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## Our Response to Reports

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When a report is received we will:

- Contact the victim within 1 working day when it is urgent e.g. for hate incidents, harassment, violence or criminal behaviour.
- Otherwise contact the victim within 5 working days.

The Council will also:

- Treat all the information provided to us as confidential;
- Take your complaint seriously and investigate it thoroughly;
- Make your safety our main concern;
- Discuss with you what action the Council can take;
- Consider how best to support you;
- Provide you with updates at agreed, regular intervals;
- Work as part of a multi-agency partnership;
- Use informal and legal remedies to solve the problem.

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## Remedies to Tackle Anti-Social Behaviour

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The Council will not tolerate anti-social behaviour in particular:

- Hate incidents, harassment and discrimination
- Domestic abuse
- Illegal drug activity
- Assault, violence and threatening behaviour
- Youth annoyance
- Neighbour and noise nuisance.

The Council will use a variety of early, informal remedies and legal remedies to resolve anti-social behaviour including:

Early and Informal Remedies	Legal Remedies
<ul style="list-style-type: none"><li>• Personal Resolutions</li><li>• Verbal and Written Warnings</li><li>• Visits, including Partnership visits</li><li>• Acceptable Behaviour Agreement</li><li>• Mediation</li><li>• Restorative Practice</li><li>• Neighbourhood Resolution Panel</li><li>• CCTV</li></ul>	<ul style="list-style-type: none"><li>• Extending Introductory Tenancy</li><li>• Civil injunction</li><li>• Abatement Notice</li><li>• Community Protection Notice</li><li>• Possession Notices</li><li>• Legal Undertaking</li><li>• Possession Orders</li><li>• Eviction</li><li>• Criminal Behaviour Order</li><li>• Closure Notice and Order</li><li>• Public Spaces Protection Order</li></ul>

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## **4. Putting Victims First**

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### **Supporting Victims of Anti-Social Behaviour**

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We will put victims first and provide support to complainants, victims or witnesses and work with other agencies to help to tackle anti-social behaviour.

We will:

- Make it easy to report anti-social behaviour
- Keep complainants, victims and witnesses informed
- Be sensitive and sympathetic and work with other agencies to offer support
- Discuss an action plan with the victim
- Do our utmost to protect the confidentiality of people reporting issues.
- Translate letters or other written material into a preferred language.

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### **Supporting Witnesses During Court Proceedings**

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We will protect witnesses and work in partnership with the Police and other agencies to ensure witnesses feel secure and are supported.

We will:

- Keep witnesses informed of the progress of court action.
- Provide help from a Victim Support Officer if needed.
- Provide help with transport to and from court if needed.
- Accompany witnesses in court at all times if they wish.
- Ask the court to put in place special measure to support witnesses e.g. screens and videolink, where appropriate
- Take legal action to ensure witnesses are not subject to intimidation.
- Provide protection measures where required e.g. secure-by-design doors, window locks and security lighting.
- Provide witnesses with an out-of-hours telephone number in case emergency temporary accommodation is required.
- In the most serious cases consider moving witnesses to another area within the City.

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### **Community Trigger**

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We are committed to implementing the Community Trigger. This allows victims of persistent anti-social behaviour, who have previously reported incidents to one or more agencies, to request a review of their case where they feel the actions taken have not been adequate.

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## 5. Measuring Our Success

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To ensure we are effectively implementing our policies and meeting our service standards we will:

- Improve awareness of, and access to, services through the website, leaflets and other publicity
- Regularly review performance
- Implement best practice and ensure we use the most appropriate tools to tackle anti-social behaviour
- Publicise successful outcomes
- Carry out an annual Tenant Satisfaction Survey

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## Complaints

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Complaints about poor service are dealt with in accordance with the Council's Complaints Policy. Some types of complaint are excluded from being dealt with under that Policy, including those about approved policies and properly made decisions.