

## Anti-Social Behaviour Policy

Prepared by	Fiona Mills, Housing Director
Policy created	N/A
Date of last review	June 2019
Date of current review	June 2025
Date of next review	June 2028
Reviewed by	Management Committee

Corporate Fit	Internal Management Plan	✓
	Risk Register	✓
	Business Plan	✓
	Equalities Strategy	✓
	Legislation	✓

### Keep in touch

868 Tollcross Road | G32 8PF  
 0141 763 1317  
[info@tollcross-ha.org.uk](mailto:info@tollcross-ha.org.uk)  
[www.tollcross-ha.org.uk](http://www.tollcross-ha.org.uk)

Registered Scottish Charity No.SC040876 | Registered with the Scottish Housing Regulator No.197 | Registered Property Factor No.PF000261 | Registered Society under Co-operative and Community Benefit Societies Act 2014 No.1798RS

### Alternative formats available



Happy to translate  
 Możemy przetłumaczyć  
 Раді перекладати  
 Ni Fahari kutafsiri  
 نحن سعداء لتقديم الترجمة  
 अनुवाद करके खुशी हुई  
 ਅਨੁਵਾਦ ਕਰਨ ਵਿੱਚ ਖੁਸ਼ੀ  
 乐意翻译

Our policies provide a framework to underpin our vision and values, to help us achieve our strategic objectives.

## Our Vision

Local people, local control.

By providing quality homes and services, we will create stronger communities and a better quality of life for our customers.

## Our Values

- Focused on the needs of our customers and communities.
- Supportive of our staff and Committee members.
- Responsible, efficient, and innovative.
- Open and accountable.
- Inclusive and respectful.
- Fair and trustworthy.

## Strategic Direction

**Consolidation and improvement:** Applicable to our core business as a landlord & property manager.

**Growth:** Through the new build opportunities, we are taking forward.

**Partnerships:** Where this can help to address shared goals and increase capacity and value.

**Resilience:** A key priority across all parts of our business.

## Strategic Objectives

**Services:** Deliver quality, value for money services that meet customers' needs

**Homes & neighbourhoods:** Provide quality homes and neighbourhoods.

**Assets:** Manage our assets well, by spending wisely.

**Communities:** Work with local partners to provide or enable services and activities that benefit local people and our communities as a whole

**Our people:** Offer a great workplace environment that produces a positive staff culture and highly engaged staff.

**Leadership & Financial:** Maintain good governance and a strong financial business plan, to ensure we have the capacity to achieve our goals.

## Our Equalities and Human Rights Commitment

We understand that people perform better when they can be themselves and we are committed to making the Association an environment where employees, customers, and stakeholders can be open and supported. We promote equality, diversity, and inclusion in all our policies and procedures to ensure that everyone is treated equally and that they are treated fairly on in relation to the protected characteristics as outlined in the Equality Act 2010.

## Privacy Statement

As data controller we will collect and process personal data relating to you. We will only collect personal information when we need this. The type of information we need from you will vary depending on our relationship with you. When we ask you for information, we will make it clear why we need it. We will also make it clear when you do not have to provide us with information and any consequences of not providing this. We are committed to being transparent about how we collect and use your data, and to meeting our data protection obligations with you. Further information about this commitment can be found within our full Privacy Statements.

## Policy Scope & Review

For the purpose of this policy the term Association will include all members of the Tollcross Housing Association Limited. Therefore, all employees, governing body members, volunteers, customers and other relevant stakeholders will be expected to adhere to this policy and/or procedure. All policies and procedures are reviewed every 3 years in line with best practice and current legislation. The Association reserves the right to make additions or alterations to this policy and procedure from time to time. Any timescales set out in this policy may be extended where required.

## Contents

Section		Pages
1.	Introduction	2
2.	What is Anti-Social Behaviour?	2
3.	Policy aims and Objectives	2-3
4.	Legal and Regulatory requirements	3-4
5.	Categories of complaints	4
6.	Complaint response times	5
7.	Investigation and Outcomes	5-6
8.	Partnership Working	6
9.	Escalation	7
10.	Owners/Private/Landlords/Commercial properties	7
11.	Equalities	8
12.	Reporting and Review	8
13.	Role of Committee	8
14.	Complaints	9
15.	Monitor and Review	9

Appendices		Pages
1.	Equality & Human Rights Impact Assessment	10

## 1. INTRODUCTION

We want Tollcross Housing Association tenants' and other residents to feel safe and secure and live within peaceful neighbourhoods, where people look out for each other and are proud to be a part of the community. We recognise that antisocial behaviour (ASB) can have a detrimental impact on achieving this vision, which in turn impacts community stability. It is important therefore that we have a clear policy in place to outline how we will investigate and manage reports of ASB.

Some of the key objectives set out in the Association's business plan; Quality Homes and Neighbourhoods and Building a stronger community through partnerships, support this key principle.

## 2. WHAT IS ANTI-SOCIAL BEHAVIOUR?

The legislative framework that governs how Registered Social Landlords (RSLs) interpret and manage ASB is outlined within the Antisocial Behaviour etc. (Scotland) Act 2004, where at section 143, the legislation states a person engages in ASB if they:

***“Act in a manner that causes or is likely to cause alarm or distress; or pursues a course of conduct that causes or is likely to cause alarm or distress to at least one person, who is not of the same household as that person”.***

Conduct can include speech, and a course of conduct must involve conduct on at least two occasions. The expression 'likely to cause' means that someone other than the affected person of ASB can conclude that the behaviour is antisocial or not. It is the effect or likely effect of the behaviour on other people that determines whether the behaviour is antisocial.

## 3. POLICY AIM AND OBJECTIVES

**Our aim** is to investigate and take appropriate action to reports of ASB made by our tenants or other local residents situated within our operational area through the provision of an effective and proportionate response which is both person-centred, and trauma informed.

**Our objectives** will be to achieve our aim by successfully undertaking the following:

- Ensure customers are aware of their **responsibilities** under the terms of their tenancy agreement;
- **Prevention** of ASB through education and an effective communication strategy around expected appropriate behaviours and conduct, that align with a sense of neighbourliness;
- Embedding a culture of **early intervention** where areas of support are identified to prevent the occurrence or reoccurrence of ASB;
- Undertake **community engagement** activity to raise awareness of the impact of ASB within communities to discourage the activity;
- **Empower** local communities to confidently report any issues of ASB and know they will receive an exceptional level of customer service if they do so;
- Provide **clear guidance and written procedures** to staff on how to deal with and manage incidents of ASB within our communities;
- Thoroughly **investigate reports** of ASB to ensure a professional response is delivered;
- Provide the appropriate level **of support** to those affected and involved in ASB (affected persons, witnesses and accused persons) to obtain better outcomes for everyone;
- Utilise all tools and **enforcement** powers available to RSLs to deal with ASB where necessary;
- **Work in partnership** with Police Scotland, Local Authorities and other strategic and third sector partners, sharing information and working collaboratively to achieve the best possible outcomes for everyone involved;

- Deliver a **consistent** approach towards tackling ASB through the provision of training which recognises the benefits of a prevention and solutions approach; and
- Utilise **new technology** and develop new and innovative measures for preventing and managing incidents of ASB.
- **Report** to our Management Committee and/or our Operations Sub-Committee in relation to ASB behaviour performance.

This policy provides an outline on the way in which complaints will be dealt with, the current legal and regulatory requirements for dealing with anti-social behaviour and neighbour nuisance.

This Policy also compliments and works in conjunction with the following Association policies:

- Estate Management Policy
- Allocations Policy
- Tenancy Sustainment Policy
- Termination Policy

#### **4. LEGAL AND REGULATORY FRAMEWORK**

This Policy aims to be consistent with all relevant legal and regulatory requirements Including those set out below;

##### **LEGAL FRAMEWORK**

- Anti-Social Behaviour (Scotland) Act 2004
- The Housing (Scotland) Act 2014
- Equality Act 2010
- Human Rights Act 1998
- Regulation of Investigatory Powers (Scotland) Act 2000
- Data Protection Act 2018; and
- General Data Protection Regulation (Regulation) (EU) 2016/679)

##### **REGULATORY FRAMEWORK**

The Scottish Social Housing Charter sets standards that the Association should meet

and the following are relevant to anti-social behaviour:

#### Outcome 1

*“Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that tenants and other customers live in well-maintained neighbourhoods where they feel safe.”*

To meet this outcome the Association will robustly investigate any complaints of anti-social behaviour in line with policy and take appropriate action.

#### Outcome 11

*“Tenants get the information they need on how to obtain support to remain in their home and ensure suitable support is available, including services provided directly by the landlord and by other organisations.”*

To meet this outcome the association will attempt to resolve neighbour related issues as quickly as possible and will provide information on where to seek independent support.

The above outcomes cover a range of actions that Social Landlords can take on their own and in partnership with others. It covers action to enforce tenancy conditions on estate management and neighbour nuisance, to resolve neighbour disputes and to arrange or provide tenancy support where this is needed. It also covers the role of Landlords in working with others to tackle anti-social behaviour.

### **5. CATEGORIES OF COMPLAINTS**

To prioritise complaints and ensure effective investigation of any issues complaints will be categorised under the following headings. The examples are not prescriptive and each complaint will be categorised on its own merits.

<b>CATEGORY 1</b>	Serious abuse or harassment, and incident relating to any protected characteristic, assault, violence, drug dealing, or any other behaviour where Police Scotland have charged any person with any offence
<b>CATEGORY 2</b>	Aggressive or abusive behaviour, frequent disturbances, vandalism, drug abuse.
<b>CATEGORY 3</b>	Any other complaint of noise, disturbances or allegations of breaches of tenancy

Most category 3 complaints will be about relatively minor problems but could have the potential to develop into a serious problem if not addressed and resolved at an early stage.

It should be noted that these examples of anti-social behaviour are not exhaustive and that any doubts over the categorisation of anti-social behaviour will be referred to and agreed at the discretion of the Housing Director/Manager.

### **6. COMPLAINT RESPONSE TIMES**

It is important that complaints of anti-social behaviour are seen to be dealt with quickly and efficiently so that tenants have confidence that the Association are taking the complaints seriously and will take the appropriate action. Below are the timescales to deal with the complaint categories:

<b>ACTION</b>	<b>CATEGORY 1</b>	<b>CATEGORY 2</b>	<b>CATEGORY 3</b>
ACKNOWLEDGEMENT	1 Day	3 working days	5 working days
RESOLVE	2 Months	20 working days	10 working days

The Association will investigate all complaints of anti-social behaviour and will adopt a non-judgemental approach at the initial stages of the investigation. Appropriate attempts will be made to clarify the validity of complaints and action, in terms of breach of the tenancy agreement, taken only when the allegations are corroborated.

The Association will endeavour to help/support victims of anti-social behaviour and where appropriate, the support and advice of community groups and other agencies will be sought, where appropriate, to facilitate an effective response. Further information on how we will deal with the complaints within the above timescales are set out in the ASB procedure note.

## **7. INVESTIGATION AND OUTCOMES**

The Association will seek to resolve incidents of anti-social behaviour through the following process:

- Prevention
- Investigation
- Support
- Outcome

### **Prevention**

The most effective method of ensuring residents do not experience anti-social behaviour is to take effective measures to prevent incidents from occurring. These may include:

- Mediation – set up mediation through the local authority or other partners.
- Local Police – Engaging with Community Police Officers can assist organisations to work together, identifying ‘hot-spots’ and share information.
- Other partner agencies - Social Work, NHS, Glasgow City Council, support agencies to gather information or to provide support.

### **Investigation**



In order to take the appropriate action The Association requires sufficient evidence that anti-social behaviour has occurred, therefore an investigation will be centred on obtaining this evidence. Details of how staff will investigate complaints are provided in the Association's ASB procedure.

### **Support**

The Association recognises the impact that experiencing anti-social behaviour can have on people lives and wishes to support the victims of these incidents. On some occasions support may also be provided to the alleged perpetrator. Methods of how we will support anyone affected by anti-social behaviour is detailed in the ASB procedure.

### **Outcome**

The evidence gathered throughout the investigation will be analysed to determine if any breach of tenancy conditions have occurred by any party involved in the complaint.

If a condition of a tenant's tenancy agreement has been breached the tenant will be invited into the office to discuss the matter and to explain the potential impact a warning will have on their tenancy. Staff may use their discretion to decide if the matter requires a formal written warning, or simply an informal verbal warning, depending on the severity of the breach and the response from the perpetrator. Informal warnings will be noted and may be referred to in any future investigations.

If a formal written warning is to be served this will be explained to the tenant at the meeting, then followed up in writing advising further incidents will not be tolerated.

## **8. PARTNERSHIP WORKING**

Tollcross Housing Association recognises the clear commitment required from all parties to resolve cases of anti-social behaviour. Where appropriate, the Association will explore the option of developing formal agreements with relevant agencies, e.g., Social Work Department, Police Scotland and the Glasgow City Council, to build good working relationships which allows for a multi-agency approach. The below list is not exhaustive:

**Partnership with other RSL's**– Other neighbouring RSL's have established stringent protocols in the investigation and resolution of anti-social behaviour complaints and Tollcross Housing Association will endeavour to work with neighbouring RSL's where cross tenure and areas is an issue.

**GCC Homeless Casework Team** - Housing Officers will endeavour to ensure that any tenant/future tenant/and/or resident who is engaging with Homelessness services that may be a victim or a perpetrator of ASB will be referred to their caseworker for support and that a multi-agency approach is taken by the Association and Homeless services to find a positive outcome for that individual/s.

**Victim Support Services** – People who suffer anti-social behaviour can feel vulnerable from the time they report an incident therefore an independent agency for support is important. In the appropriate circumstances, officers should advise victims of anti-social behaviour of the various "Victim Support agencies" available and signpost them to the relevant organisation.

**Police Scotland** – Housing Officers should liaise with Police Scotland and use sharing information protocols to assist them with cases of ASB. In addition Police Scotland can also assist with joint interviews and visits pending on the level of ASB.

## **9. ESCALATION**



If further complaints are received regarding the same perpetrator these will be investigated as a separate complaint through the same process, and a second formal warning may be served.

After serving a second formal warning the Housing staff may decide to serve a Notice of Proceedings for Recovery of Possession (NOP) which permits the Association to commence court action to recover the tenancy.

The Association may also proceed directly to court action if the ASB is one of a serious manner (this would most likely be a Category 1 case). More details of escalating ASB cases are set out in the ASB procedure note.

If a Decree is obtained, and permission granted by the Management Committee, the Housing staff will arrange an eviction date with Sheriff Officers and the Association's Solicitors.

Alternative outcomes may be considered such as an Anti-Social Behaviour Order or conversion of the tenancy to a Short Scottish Secure Tenancy (SSST) depending on advice from Police Scotland and the association's solicitors. More information is detailed in the ASB procedure.

## **10. OWNERS/PRIVATE LANDLORDS/COMMERCIAL TENANTS**

The Association does not have any powers to formally act against owners, commercial tenants, or private landlords in the same manner as our tenants as they do not hold tenancy agreements with the association. In all cases mediation may help find a solution.

The Association will engage with the landlords of any private tenants responsible for anti-social behaviour, who do have powers of responsibility over their tenants. We may also refer a landlord to the Scottish Landlord Registry if they do not suitably carry out their obligations in this respect.

If a commercial tenant is the perpetrator of anti-social behaviour the association will actively engage with the tenant, the owner of the property and/or Glasgow City Council in an effort to rectify any issues.

Where an owner is the perpetrator of anti-social behaviour the Association will also engage with Police Scotland and Glasgow City Council where appropriate.

In all of the above scenarios it is important to note that the Association may be limited to achieving a positive outcome for victims of ASB.

## **11. EQUALITIES**

The Association's Equality & Human Rights Policy outlines our commitment to promoting an environment of respect, understanding, where diversity is encouraged and discrimination avoided. This commitment covers all areas of Tollcross' work both as an employer of staff and a landlord/provider of services. It is also important to note that equality is not about treating everyone in the same way but recognises that people's needs are met in different ways.

We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, an Equality Impact Assessment has been completed alongside this Policy to help identify any part of a policy that may be discriminatory so that this can be addressed. (see Appendix 1).

## **12. REPORTING AND REVIEW**

Statistical analysis reports will be generated to monitor performance of the recovery action. The information gathered will be:

- Number of ASB cases within a quarterly period
- Of those cases the % completed within the timescales set out in this policy
- Number of court actions initiated because of ASB
- Number of completed court actions (evictions for ASB)

Performance targets and timescales will be set for staff in progressing antisocial cases through the key stages, which include contacting complainer, Contacting witnesses, Contacting alleged offender, liaising with other agencies and resolution.

Reports will be produced to assist in measuring performance against targets and will allow comparison of results on a quarterly basis indicating trends and highlighting where performance requires to be investigated and addressed. These reports will also be provided on a quarterly basis to the Association's Management Committee and Operations Sub-Committee.

The Association's performance will also be monitored against derived information from other organisations through possible benchmarking arrangements and comparisons of performance statistics reported by the Scottish Housing Regulator.

Collectively, Housing Managers and the Housing Director will be responsible for ensuring the Association's antisocial behaviour policy objectives and overall targets are being achieved. They will be required to introduce improvements in the operation of the antisocial behaviour procedures if possible or necessary or in line with legislative changes or good practice guidelines.

Periodic audits of the antisocial behaviour procedures will be carried out, to assess performance and check compliance with policy and good practice highlighting areas which may need to be addressed.

## **13. ROLE OF COMMITTEE**

Committee Members will be concerned with the overall strategy and policy to be adopted in relation to antisocial behaviour. They will monitor performance in antisocial behaviour in order to achieve safer and sustainable communities.

Quarterly and Annual statistical reports on antisocial behaviour will be presented to the Management Committee and the Operations Sub-Committee. The content of these reports and the amount of detailed information provided will reflect the Association's standing orders and scheme of delegated authority between the Committees.

In accordance with the scheme of delegated authority, Management Committee Members and/or the Operation's Sub-Committee will be responsible for:

- Reviewing and approving the anti-social behaviour Policy
- Considering and implementing as appropriate recommendations made by the Performance Monitoring groups
- Scrutinising and monitoring performance in antisocial behaviour management
- Comparing the Association's performance against targets and the performance of peers.

## **14. COMPLAINTS**

Any tenant who feels aggrieved by the service they have received from staff in carrying out their responsibilities in relation to this policy can make an informal or formal complaint to the Association.

All complaints will be fully investigated in accordance with the Association's Complaints Policy. A written guide on the complaints process is readily available to customers on request and is on display in the reception area of the office.

Any tenant making a complaint will be advised of their right to complain to the Scottish Public Services Ombudsman.

#### **15. MONITOR AND REVIEW**

Regular monitoring will be undertaken by the Housing Managers/Director to check compliance with the law, this policy and associated policies and procedures. This policy will be reviewed every 3 years or when required to address any weakness in the policy or changes in legislation or best practice.

**FIONA MILLS**

**HOUSING DIRECTOR**

**20<sup>TH</sup> JUNE 2025**

<b>Policy</b>	Anti-Social Behaviour Policy		
<b>EIA Completed by</b>	Fiona Mills, Housing Director	<b>EIA Date</b>	June 2025

  

**1. Aims, objectives, and purpose of the policy / proposal**

The aim of this policy is to ensure the effective management of Anti-Social Behaviour cases reported to the Association.

  

**2. Who is intended to benefit from the policy / proposal?**

Tenants, staff and residents within the local community.

  

**3. What outcomes are wanted from this policy / proposal?**

To ensure reports of ASB are managed quickly and efficiently in accordance with this Policy and to ensure that staff are meeting all legal and regulatory requirements alongside trying to achieve positive outcomes for complainants.

  

**4. Which protected characteristics could be affected by proposal?**

<input type="checkbox"/> Age	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Religion or belief
<input type="checkbox"/> Disability	<input type="checkbox"/> Marriage & civil partnership	<input type="checkbox"/> Sex
<input type="checkbox"/> Race	<input type="checkbox"/> Pregnancy and maternity	<input type="checkbox"/> Sexual orientation

  

**5. If the policy / proposal is not relevant to any of the protected characteristics listed in part 4, state why and end the process here.**

  

**6. Describe the likely impact(s) the policy / proposal could have on the groups identified in part 4**

While the policy does not directly impact on any protected characteristics, a desired outcome will be to remove barriers faced by some of our customers who report incidents of ASB in order to engage and work with the Association to achieve a positive outcome. These are likely to relate to the some of the protected characteristics above.

  

**7. What actions are required to address the impacts arising from this assessment? (This might include; collecting data, putting monitoring in place, specific actions to mitigate negative impacts).**

Liaising with other partner agencies to achieve positive outcomes and support for individuals.

  

**8. Consider the impact and actions to be considered for the following Human Right articles:**

<b>Article 6: Right to a fair trial</b>	
Everyone should be given the opportunity to participate effectively in any hearing of their case and present their side.	
Impact: N/A	Actions: N/A
<b>Article 8: Right to respect for private life, family life &amp; the home</b>	
Everyone has the right to access and live in their home without intrusion or interference.	
Impact: Yes	Actions: This Policy should support individuals and families to live in a safe community
<b>Article 14: Prohibition of discrimination</b>	
Everyone has equal access to the other rights contained in the Human Rights Act.	
Impact: N/A	Actions: N/A