Anti Social Behaviour
Procedure Notes

March 2025

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ANTI-SOCIAL BEHAVIOUR PROCEDURES

1.0 Introduction

This document outlines procedures for staff when dealing with anti-social behaviour, including the following;

- Procedures for responding to allegations of anti-social behaviour including timescales to deal with complaints.
- Standard letters and forms.
- Referrals and protocols between different agencies.
- Information to tenants and other service users.

2.0 Procedures

This section details the procedures staff should follow when handling complaints of anti-social behaviour. A flowchart illustrating these procedures has been provided at Appendix 1.

2.1 Recording Complaints

A complaint may be received verbally, in writing or anonymously. In the case of anonymous complaints efforts should be made to substantiate the validity of the complaint. This will allow staff to determine whether or not further investigation / action is appropriate. Complaints may also be internally generated e.g. graffiti noted by staff. These will be dealt with and recorded in the same manner as external complaints.

2.2 Acknowledge Complaint and Establish Monitoring Form

On receipt of a complaint, an acknowledgement letter (Document 1) should be sent to the complainant. ***This should be done within 2 working days of receipt of the complaint.***

The proposed response(s) and approximate timescales will also be notified to complainants.

A monitoring form (Document 2) should be established immediately and held on the ASB Complaints Folder until the issue is resolved. Once resolved, the monitoring form should be copied to the house file of the person who is the subject of the complaint. This will provide a summary of action taken to deal with the complaint. This document can be passed to our Solicitor should court action be necessary.

As a guide to response times, it is envisaged that the Association's response at each stage will be in accordance with the complaint category ie. responses will be immediate at each stage of a Category A complaint. Category B complaints will be investigated and responded to within 3 days and Category C 5 days.

Where other agencies or proceedings are involved, the Association will extend timescales to allow for investigation and request approximate response times and these will be monitored,

All complaints are logged in the SDM ASB Complaints Register which, along with the monitoring form should be kept up to date at all times.

2.3 Interviews and Visits to Property

The complainant can be interviewed either at home or in the Association's office – depending on their preference. If necessary, staff should visit the property in question e.g. where the complaint relates to graffiti or failure to maintain common areas etc.

When interviewing the complainant, staff should record details on the initial complaint form (Document 3). Details should also be recorded on the monitoring form (Document 2).

Following the interview, staff need to decide what course of action to pursue. This may include;

- Speaking to other residents / neighbours. File notes should be made and attached to file.
- Interviewing the alleged perpetrator. A report form (Document 3 (a)) should be completed.
- Issuing nuisance monitoring forms for completion by the complainant(s) (Document 3 (b)).
- Discussing matters with other agencies with a view to joint action or making a referral (see section 2.5 (iii))

2.4 Staff Decisions

In accordance with the Association's anti-social behaviour policy, staff must consider all relevant information when making decisions on cases. Personal issues, not relevant to the case should be ignored to ensure cases are assessed objectively and all decisions are 'reasonable'. This is particularly important where action is taken to obtain an ASBO or eviction Decree.

2.4.1 Complaint not Justified

Where there is no evidence to substantiate anti-social behaviour, staff must notify all relevant people (including other agencies) of this decision (Document 4).

2.4.2 Complaint Justified

Where a complaint of anti-social behaviour appears to be justified, staff must decide what action(s) should be taken to remedy the situation. Early action is absolutely vital to minimise neighbours' concerns and ensure the anti-social behaviour stops as soon as possible.

The next section outlines the actions which may be taken by staff. It is anticipated that management actions would be used in the first instance and

legal remedies only as a last resort. However, it is recognised that in cases of extreme anti-social behaviour e.g. racial harassment or assault, legal remedies may be applied immediately.

2.4.3 Standard Actions

It is very important to ensure that all parties involved in the dispute are kept informed of progress, especially if the case is calling to court and they are to be called as witnesses. This information should be communicated in writing in the format of Document 10, which can be adapted to suit any of the options below.

2.4.4 Breach of Tenancy / Warning Letters

Where staff are satisfied that a breach of tenancy has occurred as a result of anti-social behaviour, the tenant should receive a first warning. The warning should be in writing and clearly explain the agreement confirmed at their interview (Document 5). If further reports of anti-social behaviour are raised a reminder letter will be issued. It should be accompanied by a copy of the Association's complaints policy. Should the anti-social behaviour continue, further warnings / final warning should be issued (Document 5 (a) and 5 (b))

As mentioned previously, serious anti-social cases may merit a final warning letter or a Notice of Proceedings at an earlier stage.

Standard management actions and legal remedies are outlined below;

2.5 Management Actions

(i) ***Housing Management Practice***

Many complaints about anti-social behaviour arise as a result of normal living conditions e.g. complaints about noise by music equipment and other household goods such as washing machines being used at inappropriate times. In cases such as this, staff should consider whether there may be a practical solution to the problem e.g. improving sound insulation etc.

(ii) ***Mediation***

Where there is recurring anti-social behaviour and the relationship between the parties involved has broken down, or where the Housing Manager decides the Association's role has been exhausted, it may be appropriate to make a referral for mediation. Referrals will initially be made to Community Safety Glasgow Mediation Services Glasgow Mediation Service. The referral form (Document 6) should be completed in full and submitted to the mediation agency.

(iii) ***Involving Other Agencies***

In some cases of anti-social behaviour, it may be necessary to involve other agencies such as environmental health, police, social work etc. Where required, staff will make referrals by phone (file note to be made / letter sent), letter or email. A standard referral letter is attached as Document 7. Staff should also make full use of the joint protocol for information sharing between the police, Glasgow City Council and

RSL's. Requests for information can be made verbally or using the standard request forms provided within the protocol.

(iv) ***Suspensions***

In some cases of anti-social behaviour, it may be appropriate to suspend applications for internal transfer. A letter will be sent to tenants falling into this category (Document 8).

In the case of waiting list applicants where there is clear evidence of anti-social behaviour, action to suspend will be taken in accordance with the allocations policy.

(v) ***Acceptable Behaviour Contracts / Unacceptable Behaviour Notices***

Wherever deemed necessary, the Association will work in conjunction with the Police to encourage those responsible for anti-social behaviour to sign an ABC. Where attempts to have this document signed fail, we will issue an UBN. Both these documents will be used to support any future legal action e.g. ASBO or eviction.

2.6 Legal Remedies

(i) ***Association Procedures***

Where legal action is being considered, cases should be reported by case number to the Association's Management Committee as part of the monthly Anti-Social Behaviour - Legal Action Report. The report will give background in the first instance and updates each month thereafter. Recommendations on the appropriate course of legal action (based on our Solicitors advice) will also be made. Agreed action should be taken as soon as possible thereafter and the tenant in breach of their tenancy agreement should be informed in writing (Document 9).

Relevant legal actions may include;

- Interdict
- Specific Implement
- Interim or full ASBO (anti-social behaviour order)
- Eviction / repossession

All parties involved in the dispute should be kept informed of progress in the case. Document 10 should be used for this purpose

(ii) ***Eviction Action***

Eviction action will commence following a Notice of Proceedings being served upon the tenant breaching their tenancy agreement. At that point the Association will also notify the Case Work Team and social work department that the tenant is at risk of losing their home.

Following a decree for eviction being granted, the Management Committee will decide whether the tenant should be evicted from the property. Their decision will be final.

Repossession action can involve eviction with or without the provision of other suitable accommodation. Where other alternative accommodation is not provided staff will refer the case to the relevant social work department e.g. families and children, vulnerable persons etc. The North Area Homeless Casework Team will also be notified. Association staff will engage in any necessary communication / meetings with relevant agencies prior to the eviction taking place.

(iii) ***Other Agencies and Legal Action***

As stated in the Association's Anti-Social Behaviour Policy, there are legal remedies available to other agencies to assist in the resolution of complaints. Wherever possible and appropriate, the Association will liaise closely with the relevant agencies to encourage this course of action e.g. environmental health involvement in noise pollution or dog fouling etc.

(v) ***Third Parties and Legal Remedies***

It is often the case that tenants approach staff about legal advice for a number of issues e.g. domestic abuse, harassment etc. It may often be appropriate to refer such cases for independent legal advice. This is available from the Legal Services Agency (LSA) at the North Glasgow Advice Centre. It may be appropriate for the person concerned to seek a non-harassment order under the Protection from Harassment Act 1997. Staff should endeavour to make referrals to relevant agencies whenever appropriate.

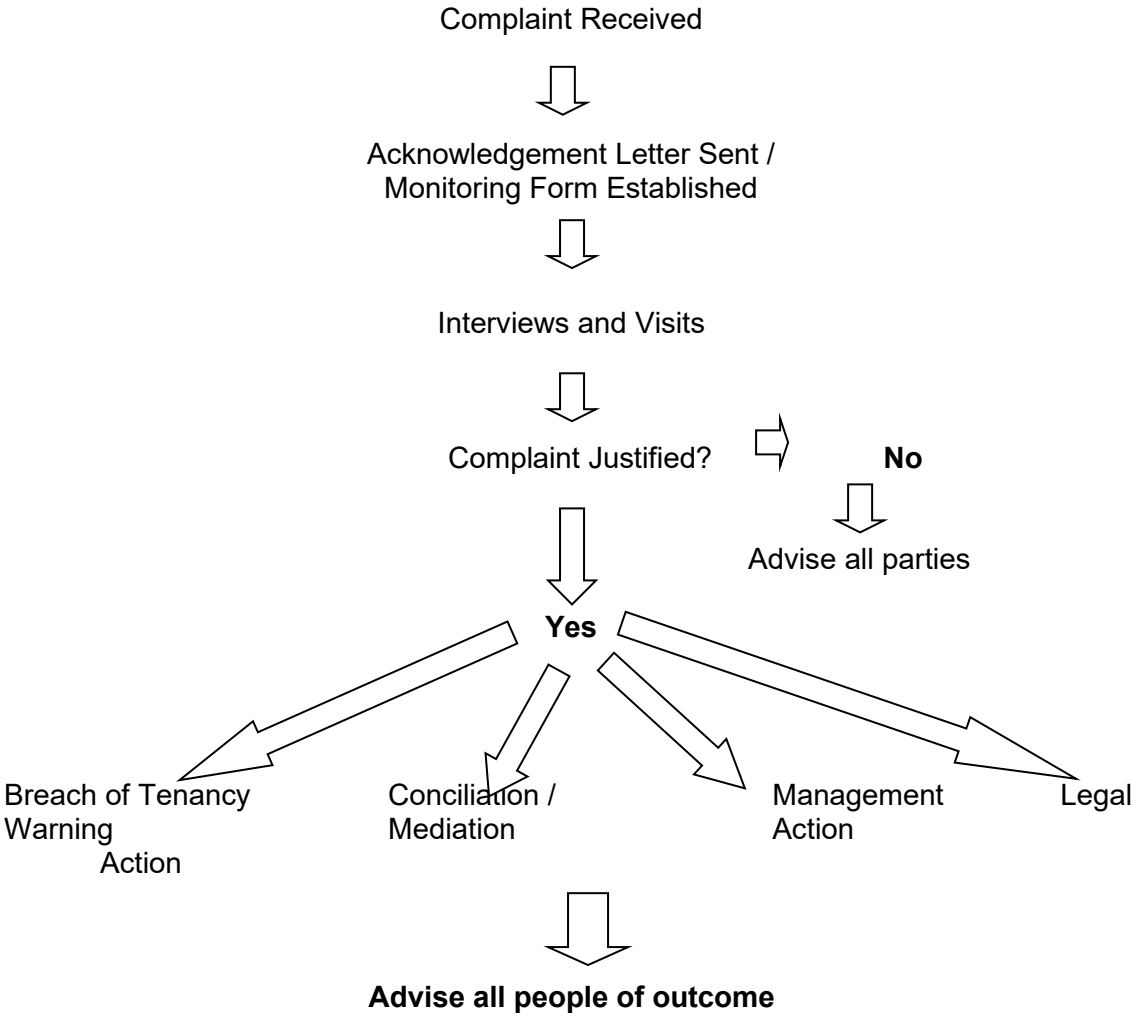
2.7 Monitoring

Performance indicators are incorporated into to anti-social behaviour policy in Appendix 2. Monitoring will be carried out on an ongoing basis and reported to the management committee as part of the monthly reports.

2.8 Information to Tenants and Other Service Users

The Associations provides detailed information to tenants and other interested parties via the Tenant's Handbook, The Tenancy Agreement, the Association's website and information leaflets.

Appendix 1 – Procedures Flowchart



Document 1: Acknowledgement Letter

Name
Address

Date

Dear (tenant's name),

Complaint of (insert details) at (insert property address) – Ref: 2006/07/00001

I acknowledge receipt of your complaint received on ……. (date).

This matter is now being investigated and I will contact you within x working days to advise you of the outcome and any action taken.

Please note all complaints are dealt with in the strictest of confidence.

If you would like to discuss this matter further, please contact me on 0141 559 ****.

Yours sincerely

Document 2 : Monitoring Form

Complaint Ref No: _____

Nature of Complaint:

_____

_____

_____

_____

Property Address:

_____

Date Complaint Rec'd: _____

Category of Complaint: A B C
(please circle)

Action Taken	Date	Comments
Acknowledgement letter Interviews / meetings *Decision Taken* Complaint not justified (letter sent) Complaint justified (breach of tenancy letter) **MANAGEMENT ACTION(S);** *Housing Mgt Practice* Alteration / property improve IT to other accommodation *Mediation* Consent letters signed Referral made		

Action	Date	Comments
ABC Interview arranged ABC signed *UBN* UBN issued *Other Agencies* Environmental Health Housing Homelessness Social Work Education Planning Health Police *Suspensions* Suspension from active consideration for rehousing **LEGAL ACTION(S);** Solicitors letter Meeting with Solicitor Letter to tenant re: legal action Interdict Specific Implement Interim ASBO ASBO		

Action	Date	Comments
Eviction Action Notice of Proceedings Summons *Court Outcome* Continued Sisted Decree Recalled Dismissed Proof Eviction Advice to Tenant		
Any other comments		

Document 3

Details of Initial Anti Social Complaint

Date of Interview			
Name of Complainant:		Date of birth	
Ethnicity/Disability/ Gender			
Address:			
Household Composition:			
What is the main problem?			
Who is affected by the problem?			
Where does it happen and what is the time and date?			
Action Plan.			
Are the culprits known, if so what are their names (s) and address(es)	NAME	ADDRESS	DOB
Does the complainant want the Officer to visit the Culprit?			
Have the police been informed? Have incidents been previously reported to the police?			
Are any other tenants affected by the behaviour? Does the officer interview them?			
Should the Officer or Complainant involve any other agencies?			
Any there any indirect solutions to the problem?			
What are the methods of collecting evidence?			

Signed: _____(Staff Member) **Date:** _____

Signed: _____(Tenant) **Date:** _____

Document 3 (a)

REPORT OF VISIT TO ALLEGED PERPETRATOR

NAME

DOB

Tel no :

ADDRESS

DETAILS OF COMPLAINT REPORTED

THE ASSOCIATION'S POLICY
(This should be explained at this point)

THE RESPONSE (Record of the particular action(s) which the person is alleged to have taken [try and record this precisely])

SIGNED:

_____

DATE OF INTERVIEW _____

Document 3 (b)

ANTI SOCIAL / NUISANCE MONITORING SHEETS

Time	Date	Details of complaint	Was this reported to police if yes please give details?	Did anyone else witness the ASB? If yes please give details
Start --------- Stop				
Start --------- Stop				
Start --------- Stop				
Start --------- Stop				
Start --------- Stop				
Start --------- Stop				
Start --------- Stop				

NAME _____ **ADDRESS** _____

SIGNATURE _____

Document 4 : Complaint not Justified / Established

Name
Address

Date

Dear (tenant's name),

Complaint of (insert details) at (insert property address) – Ref: 2006/07/00001

The above complaint has now been fully investigated. I am writing to advise that, due to insufficient evidence to confirm the complaint, no further action will be taken at present.

If you would like to discuss this matter further, please contact me on 0141 559 ****.

Yours sincerely

Document 5 : First Warning

Name
Address

Date

Dear (tenant's name),

Anti Social Behaviour at (insert property address)

I refer to your recent interview with xxxx (housing officer) on the xxxx (date) with regards to a compliant made against you due to your behaviour.

During the interview you agreed that:
(description of main points discussed at interview)

It is in your best interest that you keep to your arrangement and change your behaviour. I would also advise that Spire View Housing Association will not tolerate any form of anti-social behaviour and if it does not stop, there will be further action raised which may lead to an Anti Social Behaviour Order being raised against you.

It is hoped that no further action will be necessary and you should treat this letter as a written warning.

Yours sincerely

Document 5 (a) : Breach of Tenancy Reminder

Name
Address

Date

Dear (tenant's name),

Breach of Tenancy at (insert property address)

I refer to my letter of (insert date) regarding……..It would appear that you are continuing to breach your tenancy agreement for the following reasons;

_____
_____
_____
_____
_____

Please ensure that this behaviour stops immediately. If you fail to do so, I will have no option but to consider legal action to ensure you comply with the terms of your tenancy agreement.

I have enclosed a copy of the Association's Complaints Handling Procedure detailing our appeals system. However, If you would like to discuss this matter further, please contact me on 0141 559 ****.

Yours sincerely

Document 5 (b) : Breach of Tenancy Final Reminder

Name
Address

Date

Dear (tenant's name),

Breach of Tenancy at (insert property address)

I refer to my previous letters on (insert date) and (insert date) when you were issued with a written warning. It would appear that further complaints have been received regarding the way you conduct your tenancy.

These complaints have been investigated and substantiated and you appear not to have changed our behaviour.

This letter is your final warning and if you choose to ignore this the Association will consider legal action for recovery of your tenancy or the pursuance of an Anti-Social Behaviour Order against you.

If you wish to discuss this please contact me on the number below.

I have enclosed a copy of the Association's Complaints Policy detailing our appeals system. However, If you would like to discuss this matter further, please contact me on 0141 559 ****.

Yours sincerely

Document 6

Community Safety Glasgow Mediation Service
Eastgate Building, 727 London Road, Glasgow G40 3AQ
Telephone: 0141 276 7451
E-mail address: CommsafetyMLU@glasgow.gov.uk

REFERRAL FORM

Date of Referral:	**Referring Agency Name & Address:**
Referring Officer:	**Contact Tel Number:** **E-mail address:**

Party 1 (1st to Complain) **Name(S):**	**Party 2** **Name(S):**
Address:	**Address:**
Postcode:	**Postcode:**
Tel.No:	**Tel.No:**
E-Mail Address:	**E-Mail Address:**
Tenure Type:	**Tenure Type:**
If either party is involved with any other agency (e.g. Police, Social Work, EPS), please specify:	

Brief summary of case: (Include risk factors/crime reference etc.)
Are the parties willing to be contacted by the mediation service? **Party 1** Yes No □ Not discussed ☐ **Party 2** Yes No □ Not Discussed ☐

Where more than two parties are involved please attach another referral form changing party numbers as necessary.

Document 7 : Other Agency Referral Letter

Agency Name
Address

Date

Dear (name),

Complaint of anti-social behaviour at (insert property address) – Ref: 2006/07/00001

Further to our investigations regarding complaints of anti-social behaviour at the above property. It would appear that we require your assistance to deal with the issues identified.

I would be grateful if you could contact me on 0141 559 **** to discuss appropriate action.

I look forward to hearing from you.

Yours sincerely

Document 8 : Suspension of Application for Internal Transfer

Name
Address

Date

Dear (tenant's name),

Breach of Tenancy at (insert property address)

I refer to our previous correspondence / discussions regarding the above matter and would now confirm as follows;

You will not be considered for an internal transfer to alternative accommodation unless you fully comply with the terms of your tenancy agreement. This means that;

_____
_____
_____
_____
_____
_____

Your name will remain on the transfer list but will not be activated until you meet the terms of your tenancy agreement in full.

I have enclosed a copy of the Association's Complaints Policy detailing our appeals system. However, If you would like to discuss this matter further, please contact me on 0141 559 ****.

Yours sincerely

Document 9 : Notice of Legal Action to Tenant

Name
Address

Date

Dear (tenant's name),

Legal action to resolve breach of tenancy at (insert property address)

I refer to our previous correspondence / discussions regarding the above matter and write to advise that we are now taking legal action to resolve this matter. The Action we are taking is as follows;

_____
_____
_____
_____
_____
_____

I have enclosed a leaflet from the North Glasgow Advice Centre providing information regarding independent legal advice. Alternatively, you may wish to contact your own Solicitor.

If you would like to discuss this matter further, please contact me on 0141 559 ****.

Yours sincerely

Document 10 : Progress Letter

Name
Address

Date

Dear (tenant's name),

Complaint of (insert details) at (insert property address) – Ref: 2006/07/00001

Further to the complaints regarding……. I am writing to advise as follows;

_____
_____
_____
_____
_____
_____
_____
_____

If you would like to discuss this matter further, please contact me on 0141 559 ****.

Yours sincerely