



Anti-Social Behaviour Policy

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1.0 Policy Statement

- 1.1** Peter Bedford Housing Association (PBHA) will not tolerate anti-social behaviour (ASB).
- 1.2** This policy has been co-produced with current and former PBHA tenants over a series of sessions in late 2020 and early 2021. Supporting victims of ASB is the issue the group most wants improved.
- 1.3** We are committed to ensuring that a person's behaviour should not interfere with another's right to the peaceful enjoyment of their home or adversely affect the quality of life of the local community. Where a person's behaviour does not support this, we will seek to take action against the perpetrators of such acts, which may lead to legal action being taken.
- 1.4** A person-centred approach has been adopted to support and protect tenants.
- 1.5** PBHA is a provider of supported housing, providing housing to some of the most vulnerable people within our community. It is imperative that tenants do not face social exclusion as a result of their vulnerability. We do believe however, that people should take responsibility for their actions, whilst having access to and information on appropriate support services.
- 1.6** Where anti-social behaviour has been identified, we will work within a multi-agency partnership to ensure that this behaviour is addressed, eradicated or reduced.
- 1.7** Our aim in tackling anti-social behaviour is to tackle problems, mediate and avoid legal action if possible.

1.8 Related Policies

This policy should be used in line with the association's following policies and procedures:

- Safeguarding Adults Policy
- Confidentiality Policy
- Harassment Policy
- Complaints Policy

- Tenure and Occupancy Policy
- Data Protection Policy
- Hoarding Policy

2.0 Definition of Anti-Social Behaviour

2.1 The Anti-Social Behaviour, Crime and Policing Act 2014 defines Anti-Social behaviour as:

- conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- conduct capable of causing housing-related nuisance or annoyance to any person.

2.2 The 2014 act strengthens community accountability, including community trigger, and as a housing provider we should note that this trigger holds us accountable.

2.3 Examples of anti-social behaviour could include:

- Noise nuisance
- Intimidation and harassment
- Aggressive and threatening language and behaviour
- Actual violence against people and damage to property
- Hate behaviour that targets members of identified groups because of their perceived differences eg homophobic behaviour
- Using homes to sell drugs, or for other unlawful purposes
- Intimidation or aggression using animals, or a lack of appropriate management of animals
- Indirect anti-social behaviour can be any of the above caused by guests

2.4 The definition and examples of anti-social behaviour covers many different acts, therefore we have categorised such behaviour as follows:

2.5 Category 1- Nuisance

This is behaviour causing nuisance or annoyance to the tenant reporting it, but which is not on its own a breach of a tenancy agreement. For example:

- Noise made by someone going about their normal day to day activities that affects another tenant, albeit this could be hard to define
- Normal behaviour occurring at unusual times because of different working patterns provided that the tenant working non-standard hours is attempting to keep disturbance to a minimum
- One off parties where there is no evidence that the problem will occur again
- Clash of lifestyles including cultural differences
- Conflicting use of communal areas
- Where another tenant is not doing their share of cleaning in communal areas of a shared flat

2.6 Category 2- Breach of Tenancy

2.6.1 This includes behaviour which breaches the terms of the tenancy agreement, but where there has been no violence, no threat of violence, harassment or substantial damage to property.

2.6.2 It can be serious and repeated incidents where a neighbour or flatmate causes a nuisance that affects a tenant's use of the flat they are living in.

2.6.3 Category 2 anti-social behaviour can still have a detrimental effect on quality of life for tenants and these reports will be treated as a priority.

2.6.4 Examples of category 2 ASB include:

- Loud music
- Nuisance caused by another person
- Nuisance caused by pets
- Loud noises at night
- Suspected use of drugs
- Allowing dirt or mess to accumulate to an extent that creates a health and safety hazard, or otherwise causes a nuisance to another tenant eg pet or human waste
- Fly tipping
- Guests excessively staying overnight causing a nuisance to flatmates
- Interference with fire detection equipment without authorisation
- Theft of utility supplies

- Hate behaviour that targets members of identified groups because of their perceived differences eg homophobic or gender discriminatory behaviour

2.7 Category 3- Harassment

2.7.1 This is where there has been a threat of violence, harassment including racial or sexual; any other forms of abuse or substantial damage to property.

2.7.2 PBHA defines harassment as:

“Comments, looks, actions, materials, suggestions or physical contact that are unwanted or unacceptable to an individual or group of individuals. It does not matter whether the behaviour is deliberate or unintentional. It is the effect on an individual, and only the effect, which determines whether behaviour amounts to harassment.”

2.7.3 These lists are not exhaustive, and in the case of doubt the decision which category the allegation falls into will be made by the Housing Services Manager.

2.8 Category 4 – Illegal activity

2.8.1 This is where a law has or is alleged to have been broken such as: assault, drug use, drug supply or dealing, hate crime.

2.8.2 We involve the police around illegal activity and encourage tenants to report matters to the police which they have experienced or witnessed.

3.0 Our commitment to challenging anti-social behaviour

3.1 PBHA is committed to challenging and dealing with anti-social behaviour.

3.2 As an external benchmark we follow the principles to the Respect ASB Charter for Housing <http://www.cih.org/respectcharter> .

3.3 We endeavour to do this by:

3.3.1 Taking a Person-Centred Approach

- Ensuring that information about the policy is provided in an accessible format to tenants
- Taking steps to show our commitment to anti-social behaviour by publicising our policy to tenants through newsletters, community meetings, focus groups
- Where moving one tenant is necessary, this should be the perpetrator, unless they refuse
- Dealing with ASB reports in a sensitive and responsive way
- Being responsive to diversity and equality issues
- Ensuring that if the victim believes they have been harassed then the matter will be dealt with as such. Since it is not always possible to provide proof in harassment cases, the victims must not be made to feel that unless proof is provided, they will not be believed.
- Ensuring that advice and support is readily available for the victims of anti-social behaviour.

3.3.2 Support to victims will be provided by dealing with ASB reports in a prompt and timely manner. We will keep the complainant informed of developments relating to their ASB report and give information or refer to appropriate support agencies.

3.3.3 Supporting the victim in accessing information about other responses including injunctions, where this course of action has to come from the victim and not the Association.

3.3.2 The wishes of the victim must guide how the matter is dealt with. However, if a victim does not want to pursue an issue formally, but PBHA feels the matter is serious or could be repeated, the organisation may take action against perpetrators anyway, taking care to protect the interests of the victim.

3.4 Ensuring that advice and support is also available for the “perpetrators” of anti-social behaviour

3.4.1 The Anti-Social Behaviour policy includes our procedures for dealing with harassment and nuisance focusing on behaviours that effect people in their homes.

3.4.2 We believe that challenging anti-social behaviour also includes taking steps to prevent such behaviour. Examples of measures we take to prevent anti-social behaviour are:

- Referral to mediation services
- Multi agency partnership working
- Tenancy support by Recovery and Enhanced Housing Management teams

3.4.3 We house tenants who have support needs. Some acts of anti-social behaviour may be as a direct or indirect result of drug abuse; alcohol abuse; mental health; or disability. We will always offer support to perpetrators, particularly where the anti-social behaviour may be linked to one of the issues stated above.

3.4.4 As our policy statement confirms; it is imperative that tenants do not face social exclusion as a result of their vulnerability. We do believe however, that people should take responsibility for their actions, whilst having access and information to appropriate support services.

3.5 Partnership Working

3.5.1 We take a multi-agency approach to addressing anti-social behaviour, forming partnerships with the police, the local authority, the health authority and the probation service. This is not an exhaustive list.

3.5.2 Protocols have been sent up within the police in the Boroughs of Hackney and Islington. Our partnership protocol with the police and our relationship with the local authority, the health authority and the probation service does include the sharing of information. A request for information from any parties will be disclosed where it has been assessed that the public interest overrides the presumption of confidentiality.

3.6 Recording, training and implementation

3.6.1 We undertake to ensure that staff are competent in their roles and responsibilities in relation to dealing with anti-social behaviour.

3.6.2 We put in place a system to effectively record keep and monitor the effectiveness of our policy and procedure

3.6.3 We will do the following to ensure consistency of practice across our teams and services:

- Involve tenants in delivering training staff in ASB practice
- Review specific cases in team meetings
- Share good-practice examples in joint team meetings
- Cover this policy during the induction of new housing staff
- Hold 'refresher' sessions of this policy at least annually for housing staff
- Housing Managers and Director of Services actively review ASB cases and recording

4.0 The circumstances to which this policy applies

4.1 This policy applies to all tenants in properties owned or managed by Peter Bedford Housing Association.

4.2 This policy is used when dealing with anti-social behaviour which affects people in their homes.

5.0 General principles and procedure for dealing with reports of anti-social behaviour

5.1 It should be easy for tenants to report ASB. Tenants can inform us of ASB via our tenant portal, by telephone, face-to-face conversation or in writing.

5.2 ASB will be a focus of tenant inductions. We will run tenant inductions by video conference and at Kingsland Hub, including a discussion about ASB. This will make clear to new tenants their responsibilities to not cause ASB as well as how they can report it (see 5.1).

5.3 We will ensure that safeguarding risks are assessed within 24 hours of an anti-social behaviour report.

5.4 Communication between the worker and tenant is key. The worker will:

- Speak with the person reporting ASB to acknowledge their report and recognise how the tenant is feeling, ideally within 24 hours of receiving the report.
- Ask the person reporting ASB what they want to happen as a result of their report
- Discuss how the complainant wants us to keep in contact with them (e.g. by phone, by meetings or in writing)
- Clarify the stages and probable timetable for the investigation
- Set expectations with tenants around what we can or can't do, what the various outcomes might be and also prepare tenants that they may not get an apology from the perpetrator
- Persuade the complainant that their on-going assistance is needed for the ASB to be resolved
- Ask the complainant how often they would like up-dates from the worker. It is important that the complainant does not feel we have ignored the issue.
- Regular up-dates to the complainant: these could be weekly 'phone calls to ask the tenant for up-dates on the situation but could also be less frequent to give the tenant a progress up-date.

5.5 PBHA will endeavour to gather as thorough evidence as possible. We will do this as early as possible, and ensure victims are clear about their responsibility to gather evidence. On receiving details of an ASB issue, establish if any immediate action is needed – for example to ensure the safety of the tenant. Workers should follow the incident procedure for guidance in these circumstances.

5.6 House meetings are an important part of addressing ASB. We take a 'neighbourhood approach' to managing our homes, where a single worker is the housing worker for all tenants within a flat. House meetings:

- Take place monthly
- Have a positive focus. They are not just about conflict resolution.
- Where there is conflict, the worker speaks with tenants separately and in advance, to prepare them for the meeting.
- No-one likes to lose face. We will encourage the perpetrator to apologise for their actions. Where appropriate we will suggest they use a phrase like this: *"I acknowledge that when I did X it had an impact on you."*

- We will prepare the victim of ASB that they may not receive an apology and, if they do, that it may not be in the way they would like

5.7 We will work with partner agencies to help resolve ASB issues.

5.8 PBHA will take an Early Intervention approach, providing targeted support following early identification. We will pay attention to early warning signs such as grumbles from tenants and rent arrears. We will take action to prevent the anti-social behaviour escalating, for instance issuing warnings, and providing targeted support.

5.9 PBHA will provide continual support and a non-judgemental approach to support the perpetrator to change their behaviour.

6.0 The Process

6.1 Category 1 (Nuisance)

6.1.1 The Housing Worker, hereafter referred to as the Worker for the person making the ASB report is responsible for coordinating the investigation into category 1 acts of Anti-Social Behaviour.

6.1.2 Remedies to such reports may include, amongst others, the introduction of regular or one-off house meetings to deal with the issue; support to tenants to devise rotas; referring to mediation services; supporting tenants to communicate effectively with each other; developing co-living agreements.

6.1.3 Wherever possible tenants should be encouraged to negotiate amongst themselves.

6.1.4 The Worker for the complainant will coordinate the investigation.

6.1.5 The Worker of the person or people being complained about will also be involved.

6.1.6 The Worker will then write to the complainant (within five working days of receiving the report), saying that a report of ASB has been received and what

the nature of the report is. A similar letter will be sent to the alleged perpetrator and inviting them to respond and give their side of the story.

6.1.7 Risk will be assessed at each stage of the process with clear reference to safeguarding and ensuring the safety of all involved is maximized at all times. Usually the next step is to convene a meeting between the people involved, but at this point the Worker should make an assessment of the best way forward.

6.1.8 If the matter can be concluded satisfactorily between the parties involved before the first stage meeting takes place, then this should be encouraged.

6.1.9 If the Worker thinks that the allegation is unsubstantiated then they should discuss the matter with the Housing Officer (ASB Lead) to decide whether to take it further or not. If it is decided to end the procedure at this point then both parties should be informed of this in writing.

6.1.10 If on the basis of the evidence collected at this stage (or later), it is clear that what is happening is Category 2, 3 or 4 anti-social behaviour then the case should be handed over to the Housing Officer (ASB Lead) to be investigated using the relevant procedure. Both the person making the report and the alleged perpetrator should be informed of this in writing.

6.1.11 Stage 1 – House Meetings

- A house meeting can be arranged with all parties to discuss the issues. The aim of this meeting is to reach an agreed solution. The Workers and/or Manager should attend this meeting both to inform the tenants of their responsibilities and also to assist in finding a solution.
- Clear records should be made of decisions and agreements, and after the meeting all parties should be written to saying what was agreed in the meeting.
- A review date should be agreed with all parties and it is the responsibility of the Worker to ensure this happens. The information relating to this should be documented.

6.1.12 Stage 2

- If it is clear that the issue remains unresolved, either at the review meeting or before, then a second stage meeting should be convened, with the Housing Officer (ASB Lead) becoming involved. As before the aim of the meeting is to reach an agreed solution.
- The Housing Officer (ASB Lead) can offer a mediation service.
- If ASB continues, then this may lead to a category 2 investigation.

6.2 Category 2 (Breach of Tenancy)

6.2.1 Category 2 acts of Anti-Social Behaviour are those where there is a breach of the tenancy agreement. The aim of action taken is to encourage the person breaching tenancy to stop these actions. The Housing Officer (ASB Lead) will investigate all allegations or instances of category 2 ASB.

6.2.2 For more explanation of principles and decision making behind our role in “enforcing tenancy agreement”, please refer to the PBHA Tenure and Occupancy Policy SVC29.

6.2.3 The Housing Officer (ASB Lead) will lead the investigation. The Worker of the person or people being complained about will also be informed, and will be involved as necessary. Risk will be assessed at each stage of the process with clear reference to safeguarding and ensuring the safety of all involved is maximised at all times.

6.2.4 The Housing Officer (ASB Lead) will contact the person making the ASB report as soon as possible after receiving the report (and at least within 5 working days). The Housing Officer (ASB Lead) should ensure they have full details of the issues involved and should agree with the person making the report how they want to be kept informed, and what they want to see happening as a result. These details will be confirmed in writing to them.

6.2.5 The Housing Officer (ASB Lead) will then write to the alleged perpetrator giving them details of the ASB report, and inviting them to respond and give their side of the story. Usually the Housing Officer (ASB Lead) will arrange to meet or speak to them to assist in this.

6.2.6 Having completed their initial investigation, the Housing Officer (ASB Lead) should decide the appropriate course of action.

6.2.7 If the Housing Officer (ASB Lead) decides that there is no case to answer then the case will be closed and all parties informed. The person who made the ASB report should be advised of their right to appeal this decision.

6.2.8 Where it is decided that on the balance of probability the action which is the subject of the report constitutes anti-social behaviour and breaches the tenancy agreement, then PBHA has a responsibility to follow the matter up.

6.2.9 The aim of action by PBHA would be to help resolve the issue and to stop further breaches of tenancy occurring. However this does not always happen and the same or similar action may be reported. In these cases the Housing Officer should investigate again, and where the Housing Officer decides the allegations are again proven decide on follow up action. This follow up action should clearly refer to and build on the previous action.

6.2.10 There may be serious cases where it is necessary to go straight to a stage 3 letter or even to a NOSP (Tenancies) or NTQ (Licences). The Housing Officer should seek authorisation from the Director of Services in these cases.

6.2.11 Stage 1

- Where the actions constitute a breach of tenancy, then it is PBHA's responsibility to follow the tenancy enforcement route. A First Warning Letter should be sent that clearly states what the tenant is doing that breaches the tenancy, what the possible consequences of this might be if the actions could continue, and what the tenant should do (or not do) to stop the matter going any further.
- In some circumstances it is useful for the Housing Officer (ASB Lead) to arrange a meeting between the parties involved to discuss the issues and reach an agreed solution that can be documented. The Workers should also attend this meeting. Following the meeting all parties should be written to by the Housing Officer (ASB Lead) confirming what was agreed in the meeting. It should also be clear how this is going to be monitored and when it should be reviewed. Diary sheets may be issued for parties to log any further incidents. If any of the relevant parties are not engaging with this process then the ASB investigation should either be discontinued or move to the next stage (if the problem has still not been resolved.)

6.2.12 Stage 2

- If the issue remains unresolved, or the nuisance continues, despite agreement having been reached, the Housing Officer should investigate again, and if they decide further breaches of tenancy agreement have taken place they should write a Second Warning to the tenant again, referring to the First Warning. An Anti-social Behaviour contract would also be very appropriate which can last for up to 12 months. If this is breached then we would proceed to issue Notice.
- A stage two meeting may also be convened, involving the same people as before, but with the addition of the Housing Services Manager. The Housing Services Manager will chair the stage two meeting. Again the aim will be to resolve the issue. Where appropriate, the idea of a move to a different address could be discussed.

6.2.13 Stage 3

- If the situation is still not resolved at stage 2 then a report should be submitted to the Director of Services outlining the issues, summarising action taken to date, and making any recommendations as to next steps. The Director of Services should consider this, seek additional information or advice as appropriate, and come to a decision as to next steps.
- If it is concluded the breach of tenancy is continuing then a Final Warning letter, should be sent. This will also serve as a “pre NOSP” letter –warning that the next stage will be legal action”.
- As at all stages of the procedure, if a tenancy breach is so serious it can warrant moving straight to a Final Warning or even to Notice, provided the Housing Services Manager or Director of Services as relevant approve the action.

6.3 Action following stage 3 meetings and/or letters

- 6.3.1** If the situation is not resolved at stage 3 then a decision should be taken as to whether to proceed through the legal stages, and a Notice of Seeking Possession issued. If this is the decision then the Housing Officer (ASB Lead) should prepare the “request for issue of notice”, which should be authorised

by the Housing Services Manager. See below (Section 7) for details of this and subsequent stages in the legal procedure.

6.3.2 If the situation does not justify going to court, or if other tenants are not prepared to give evidence in court, then the issue should be considered by the Housing Services Manager. Both tenants may speak to the Housing Services Manager, before he or she comes to their conclusions as to appropriate actions.

6.3.3 These actions may include supporting the person reporting the ASB to get an injunction against the other tenant, or an anti-social behaviour order.

6.3.4 At this stage, if either party is unhappy about the conclusions that the Housing Services Manager has come to; they can escalate this to the Director of Services.

6.4 Category 3 (Harassment)

6.4.1 PBHA has a Harassment Policy ORG25 which follows the requirements of the Protection from Harassment Act 1997. The Harassment Policy is the main policy to be followed, but this section in the Anti-social Behaviour Policy gives further guidance.

6.4.2 What follows summarises the procedure, applying it to cases of Anti-Social Behaviour. Please refer to the above documents for the detail.

6.4.3 The Housing Services Manager should oversee incidents of Harassment that also fall into the category of anti-social behaviour.

6.4.4 If the person reporting ASB does not want to take matters this far, but the Housing Services Manager believes the matter to be sufficiently serious to merit an organisational response anyway, they should discuss it with the Director of Services. This is with a view to finding a way forward which addresses our concerns, including if appropriate, respecting their confidentiality. The final decision as to whether to proceed with a formal investigation without the consent/ co-operation of the complainant should rest with a member of SMT.

6.4.5 Once a decision to proceed with a formal case of harassment has been made, the Housing Services Manager should record this in PBHA's complaints record

6.4.6 The Housing Services Manager should inform the person reporting ASB in writing that they are now dealing with the matter formally and give a time scale within which the matter will be addressed. If during the course of the investigation it becomes apparent that it will not after all be possible to adhere to the original time-scale, the person reporting ASB should be informed what the new time-scale is likely to be with a brief explanation.

6.4.7 The Housing Services Manager should consider whether or not action needs to be taken for the duration of the investigation to relieve the stress on the victim or prevent any possibility of a reoccurrence of the alleged harassment.

6.4.8 Action could include:

- transferring the alleged perpetrator, if this is possible
- transferring the complainant, if this is possible
- if the complainant is a staff member or participant granting authorised absence.

6.4.9 The person against whom the allegation is made should be informed of the ASB report and given the opportunity to give their version of events.

6.4.10 The Housing Services Manager should ensure the investigation is conducted thoroughly with a view to obtaining at first hand as much relevant information as possible. Notes should be taken of any interviews at the time and made available to the interviewee. Anyone being interviewed may be accompanied by a person of his or her choice.

6.4.11 Relevant information may well include a history of previous incidents. For example, if the report concerns one incident, but in the course of the investigation it becomes apparent that there has been a history of incidents or a culture of such behaviour, this should fall within the remit of the investigation, in consultation with the victim.

6.4.12 During the investigation the Housing Services Manager may consult with members of the SMT, who in turn may take external advice.

6.4.13 The Housing Services Manager will decide whether on the balance of probabilities the alleged harassment took place.

6.4.14 The Housing Services Manager will then recommend an appropriate course of action and put the recommendations in place. These could range from:

- to take no action i.e. the allegation has not been substantiated
- informal remedies e.g. an apology together with a letter confirming the agreement reached
- to issue a warning (see 6.2.11-6.3.13)
- to agree an Anti-social behaviour contract
- to issue notice of seeking possession
- to withdraw a service or all PBHA services
- to ban from a particular site or all PBHA premises

The Housing Services Manager should then notify both parties of her/his decision in person and confirm in writing as soon as practicable.

6.4.15 The Housing Services Manager's report along with summaries of action taken, and part two of the Harassment Progress Sheet should be submitted to Chief Executive Officer.

6.4.16 PBHA's Confidentiality Policy shall be adhered to throughout any investigation. See section 2.7 of the policy.

6.5 Category 4 (Illegal activity)

6.5.1 "Category 4 (Illegal Activity)": the worker responsible for investigating and following up these issues is the Housing Officer (ASB Lead).

6.5.2 PBHA will report to the police any illegal actions they witness or evidence which is suggestive of illegal activity.

6.5.2 When tenants inform us of illegal activity they have witnessed, we will encourage them to report it to the police.

6.5.3 We will establish if any immediate action is needed or a safeguarding alert should be raised – particularly to ensure the safety of the tenant. Options include moving the perpetrator, issuing notice or moving the victim.

6.5.4 Action we take will be informed by advice from the police but we do not have to wait until a tenant is convicted in court before taking tenancy action.

6.5.6 We do not tolerate any Illegal activity taking place in our properties.

6.5.7 Authorisation of the Director of Services is needed to issue a NOSP or notice to quit. This would be appropriate in the case of drug dealing / supply, assault and domestic violence. This is not an exhaustive list.

7.0 Legal Actions that can be taken in cases of Anti-social Behaviour

7.0.1 Actions that can be taken include:

- Mediation (formal and informal)
- Acceptable Behaviour Contracts (ABC's)
- Injunctions to Prevent Nuisance and Annoyance (IPNA's)
- Injunctions
- Demoted Tenancies (for people with a secure or flexible tenancy involved in anti-social behaviour)
- Possession Proceedings

7.0.2 The following Procedure is for when we wish to take possession action against a tenant on grounds other than arrears. We should adhere to the following stages as quickly as possible. The Tenure and Occupancy policy is the governing policy at this stage of the procedure.

7.0.3 Other avenues to relieve the immediate problem should be explored at the same time. This might include supporting the complainant in seeking an injunction.

7.1 Notice of Seeking Possession

7.1.1 It may be necessary to issue NOSP or NTQ, either in the hope that this will lead to the situation improving, or with the expectation of going to court.

7.1.2 The Housing Officer (ASB lead) is responsible for seeking authorisation to proceed to court and for preparing and issuing of notices. In complex cases, it may be necessary to employ a solicitor to present our case.

7.1.3 From this stage on, reports on the situation should be made to the weekly Voids Meeting.

7.2 Proceeding to Court

7.2.3 The tenant would be notified of our intention to take them to court and at this point would be informed that they have seven days to write to the Director of Services appealing the grounds against which PBHA is seeking possession.

7.2.4 In most situations of nuisance, we would be asking the court to issue a "suspended possession order" which means that the person causing the nuisance would have one last chance to change their behaviour. However in extreme cases, or in cases of serious harassment, we may be asking for an outright possession order.

7.3 Eviction

7.3.1 If the tenant does not change their behaviour or if the situation is serious enough to warrant it at the time of going to court, then the Housing Services Manager, in consultation with the Housing Officer (ASB Lead) may decide to recommend that the tenant is evicted. If this is the case then the Director of Services should approve the eviction before it is executed.

7.3.2 The tenant should be given notice of the fact that PBHA is about to enforce the possession action, and of their right to appeal. Any appeal would have to be made within 7 days of the tenant receiving notice. This appeal would be solely concerned with the conditions of the possession order and whether they have or have not been adhered to.

7.4 Notice under Licence Agreements

7.4.1 The same process for investigation and categorising the type of ASB should be followed alongside the rest of this policy. The only variation is the notice to quit and gain possession.

7.4.2 Court proceedings are not required. 48 hours' notice can be issued for serious stage 3 or 4 behaviour, otherwise 28 days' notice should be used in all other cases.

8.0 Appeals and Complaints

- 8.1** Where the person reporting ASB or alleged perpetrator feels that the matter is not being dealt with in accordance with the procedure or with sufficient urgency, or that the outcome is not reasonable they may invoke the complaints procedure (if they are a tenant or participant) or the grievance procedure (if they are a staff member).