



## **Care Ashore**

### **Anti Social Behaviour Policy**

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<b>Implemented</b>	October 2019
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All policies and procedures location	Staff office at Care Ashore
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## **Objects of the charity**

Are, for the public benefit, to provide exclusively charitable support services and grants to:

- Those men and women who are or have been seafarers, and their dependents, who need assistance by the provision of accommodation, financial allowances or grants and in other such ways as the board think fit.
- Those men and women who are or have been seafarers and who are sick, disabled, aged or infirm or those who require rest or convalescence by the provision and maintenance of a convalescent home or rest home or in other ways as the board think fit.
- To extend its services to those persons having an appropriate connection with the sea as the board think fit, that includes potential visitors and their families to Care Ashore.

Care Ashore believes that its service users are entitled to expect courtesy and prompt, careful attention to their needs and wishes. We welcome suggestions on how to improve our services and will give prompt and serious attention to any concerns about the running of the organisation. We anticipate that most concerns will be resolved quickly by an informal approach to the appropriate member of staff. If this does not achieve the desired result, we have a set of procedures for dealing with concerns. We aim to bring all concerns about the running of our setting to a satisfactory conclusion for all the parties involved.

Our policy is to:

- Provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint.
- Publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.
- Make sure everyone at the Care Ashore knows what to do if a complaint is received.
- Make sure all complaints are investigated fairly and in a timely way.
- Make sure that complaints are, wherever possible, resolved and that relationships are repaired.



- Gather information which helps us to improve what we do.

### **Aims and objectives of the policy**

The aim of the policy should be to prevent and minimise instances of anti-social behaviour and to resolve them as early as possible through timely and appropriate intervention. The document should reflect a victim centred approach, allowing for the provision of appropriate support (which should include external agencies) especially in the most serious of cases. The importance of good, effective communication and the provision of regular updates to victims should be emphasised, which could involve providing a clear (single and named) point of contact.

The policy treats people fairly and equally, ensuring that any action taken is proportionate and reasonable in the circumstances. In addition, it should explain who the policy applies to and clarify how anti-social behaviour from beneficiaries and residents will be dealt with and responded to.

### **What is anti-social behaviour?**

This could include:

- serious acts of violence
- harassment
- drug-dealing or taking
- disturbance caused by noisy people in communal or living areas
- noise nuisance (e.g. loud music, excessive shouting) There is no music allowed to be played between the hours of 9am and 5pm, Monday to Friday outside the social room or where residents may be resting.
- garden rubbish
- cooking smells
- inconsiderate parking
- running illegal businesses

This policy is clear about the difference between an anti-social behaviour 'complaint' and a formal complaint to be addressed through the internal complaints procedure. It provides guidance on what is not classed as anti-social behaviour eg low-level neighbour disputes and day to day living noise which is not excessive or unreasonable.

It is important to state that individuals have a right to enjoy their homes and are entitled to go about their daily lives without having concerns that complaints will be made against them.



Staff will receive training in managing challenging behaviour and conflict resolution in relation this subject.

### **How to report and respond to anti-social behaviour?**

- In the first instance please report the matter to a member of staff. Equally, staff may approach the person and ask politely to stop their Anti Social behaviour.
- If the person does not stop, then the matter will need to be put into writing and delivered to the person reminding them of the rules implied as per policy.
- If a person continues to be inconsiderate and there is evidence to support this. They will be issued with a Care Ashore, first written warning of eviction notice by the CEO.
- Further continuation of Anti-Social behaviour will be escalated to the Board of Trustees. A representative from the board will use mediation to try to help resolve or diffuse the situation and reach a mutual agreement between involved parties.
- An Acceptable Behaviour Contract (ABC) may be implemented and agreed by both parties for a set amount of time, normally 6 months with regular interim reviews in order to monitor behaviour. Breach of the ABC, will escalate proceedings to the next stage.
- If negotiations such as mediation and an ABC is not successful, and the person or persons continue to behave in an anti-social way then they may be issued with a 56 day eviction notice as per the housing and Homelessness reduction Act 2017. Support staff will help source alternative accommodation for the beneficiary or resident faced with eviction. **Please note** – This is a last resort option. The CEO and Trustees will endeavour to resolve all matters before this action is taken. However, continuous failing to resolve the matter by the perpetrator will result in the eviction process especially if the behaviour impacts on other beneficiaries.

In more serious cases management may need to:

- Involve other agencies such as the Police or Environmental Health
- Apply to court for an eviction of the perpetrator, if they are a resident, tenant or beneficiary refusing to comply.
- Apply to court for an injunction

Actions that are available to Care Ashore for investigating and tackling anti-social behaviour, including the gathering of evidence. This could include:

- visiting the victim, providing support, signposting to agencies ie victim support
- interviewing alleged perpetrators



- installing noise monitoring equipment
- offering mediation
- issuing good neighbour agreements
- issuing diary sheets
- use of noise apps
- action plans
- management transfers
- warning letters
- enforcing the terms of a tenancy agreement or lease
- speaking to, and obtaining reports from witnesses
- adopting a multi-agency approach through involving such organisations as the Police, Environmental Health, Social Services, Local Authorities, SAIL, Victim Support etc where appropriate

### **In what circumstances will cases be closed?**

An anti-social behaviour case will be closed when the matter is resolved and there are no further reports of anti-social behaviour within a given period, or when no further action can be taken.

This is accompanied by a caveat that cases will be re-opened should any new instances of anti-social behaviour be reported or if new relevant evidence is provided beyond that time frame.

### **Confidentiality**

All written information relating to matters of Anti-Social behaviour will comply with collection, storage, access to, provision and disclosure of data in accordance with the Data Protection Act 2018.

### **Equality and diversity**

Care Ashore values diversity and is committed to promoting equality of opportunity to ensure all residents and beneficiaries are treated fairly.

See Equality and Diversity Policy.

### **Community trigger**

The Anti-Social Behaviour, Crime & Policing Act 2014 provides for the community trigger. The community trigger is a mechanism for victims of persistent anti-social behaviour to request that relevant bodies undertake a case review. A case review would entail the relevant bodies sharing information in relation to the case,



discussing what action has previously been taken, and collectively deciding whether any further action could be taken. Relevant bodies are set out in the Act and include local authorities, the police, health providers and providers of social housing.

### **Vulnerable parties**

Care Ashore has an obligation towards alleged perpetrators who are vulnerable just as it does to the victims of anti-social behaviour. It would not be appropriate to strictly follow normal policy in cases where the perpetrator is vulnerable, in particular with regard to seeking an eviction. It may be appropriate instead to liaise with the perpetrator's support network to try and find more suitable accommodation with a higher provision of care.

However, if the vulnerable person is not willing to move to more suitable accommodation and all actions have been taken to resolve the issues, aforementioned procedures will apply.

### **Legislation**

The policy references the requirement to share information with a third party under the Crime and Disorder Act 1998. It is also important that the need to process data and respect confidentiality, in line with the provisions of the General Data Protection Regulation (GDPR) is recognised.

### **Criminal activities**

The policy supports the need to refer matters of a criminal nature to the police. It also indicates that, where responsibility for investigating an incident lies with another agency, such as the police, relevant support for that agency needs to be provided. This policy also stipulates the importance of providing regular, up to date training for staff, which should be extended as far as possible, on what is a complex subject area.