



Your guide to . . .

Anti-social behaviour

Ensuring that you are able to live peacefully in your home and community

This document provides you with information on anti-social behaviour, your responsibility in relation to acceptable conduct or behaviour and how to report any issues.

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Glen Oaks Housing Association is committed to providing our tenants with a pleasant and safe place to live.

What is anti-social behaviour?

Anti-social behaviour can be difficult to define. It can mean different things to different people. It can involve incidents ranging from minor nuisances such as noise and neighbour disputes up to serious violence and intimidation.

It can be defined as behaviour by a person who causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household.

We believe that all forms of anti-social behaviour are unacceptable and should never be tolerated. Anti-social behaviour can seriously affect the quality of life of residents and communities. We firmly believe that tenants should be able to live peacefully in their homes and in their community.

Complying with your tenancy agreement

It is important that you and any members of your household have consideration for your neighbours and their right to live safely and peacefully. This includes making sure that you are not too noisy and that you keep tidy any shared areas you are responsible for, such as your garden or close landing.

Your tenancy agreement explains what we expect of you as a tenant and if you keep to this it will help you to be a good neighbour. It is very important that you read your tenancy agreement. **Booklet 8 – Tenancy** agreement provides a summary of the key points.

Anti-social behaviour policy

This booklet gives a brief overview of anti-social behaviour. We have a policy that provides further information and details the process for reporting offences. A copy of the policy is available on our website www.glenoaks.org.uk

Our staff will also be happy to advise you if there is anything you do not understand within this booklet or the policy.

The main forms of anti-social behaviour

Examples of issues or behaviour that are classed as anti-social are:

- Noise nuisance
- Harassment
- Graffiti
- Violent behaviour
- Aggressive or threatening behaviour
- Using your home for illegal purposes e.g. drug dealing
- Discrimination – e.g. on racial, sexual or religious grounds

This is not a complete list and all complaints of behaviour that cause distress or nuisance will be treated seriously, sensitively and fairly.

The type of action we decide to take is influenced by a range of factors. This includes the frequency and nature of the incidents, the effect of incidents on the victim or community, and the intentions of the perpetrator.

How to discuss problems with your neighbour

We hope you will be able to enjoy your home without any difficulties or issues. However, if you feel a neighbour is acting unreasonable, we would recommend you try to discuss the issue with them before you contact us. This can often sort the problem out quickly and help to stop any problems getting worse.

Your neighbour may not be aware that they are causing distress, or know if their children are misbehaving or the dog is barking when they aren't at home. It is important that you are prepared to listen to their point of view and look for a compromise if you don't agree with them.

If speaking to your neighbour does not resolve the problem, please contact our Housing Services team.

Reporting issues to Housing Services

When initially reporting anti-social behaviour to us, it is important that you give us as much information as possible. It may help to keep a diary of all the incidents with details of what happened, dates, times and how it affected you.

One of our Housing Services Officers will investigate your complaint. This may involve interviewing witnesses such as other neighbours. Please be assured your identity will not be disclosed without your permission. We will take all reasonable steps to resolve the situation. Sometimes this will involve other agencies that can help with issues such as mental health or drug and alcohol dependency etc.

Mediation

Your Housing Services Officer may suggest mediation, which is a way of helping people deal with disputes and reach some kind of agreement that both parties can live with. Mediators are specifically trained to help people discuss their problems. They do not judge or take sides. For mediation to work, both you and your neighbour must volunteer to take part.

Anti-social behaviour noise service

If you have a problem with noise nuisance, you can contact Community Safety Glasgow. They have a team that deals with all types of domestic noise, including things like loud music, dogs barking, DIY and musical instruments. The service is available 7 nights a week from 5pm until 3am. You can contact them for advice during these hours by calling 0141 287 1060. Outwith these hours you should report noise nuisance to the Police by phoning 101. You can also send an email to commsafetycustomersupport@glasgow.gov.uk

The officers can come out to your property to measure noise levels and assess the problem to see what action is required.

They can issue a legal warning notice requiring the noise level to be reduced and, if your neighbour doesn't reduce the noise to an acceptable level, they can issue a £100 Fixed Penalty Notice to your neighbour.

Acceptable Behaviour Contract

In some cases we will also consider using an Acceptable Behaviour Contract. This is a written agreement between the offender, the Police and the Association.

The agreement will say that the offending neighbour must not continue with certain behaviour and will generally last for 6 months.

Your neighbour does not have to keep to the agreement by law, but it can be used as evidence if the case goes to court.

Unacceptable Behaviour Notice

If someone refuses to accept an Acceptable Behaviour Contract we can issue an Unacceptable Behaviour Notice to make the person aware of their actions and what will happen if they continue to behave in this way.

This has no legal power, but can be used as evidence if the case goes to court or the person is given an Anti-Social Behaviour Order (ASBO) both of which can lead to the offending neighbour being evicted from their home.

Legal action

We will do everything we can to try to sort out the problem before we take legal action. There are a few different actions that can be used in serious circumstances.

Interdict

An interdict is an order from the court which asks you to stop doing something illegal. If you break a condition of your tenancy, threaten to use violence against someone or continually cause a nuisance, we may ask the court for an interdict. This order is made without proof of facts or before taking full legal action. You can be given one temporarily while we look into the case. It helps us take measures to stop the behaviour, however if the behaviour does not improve, we can take action against you for breaking the terms of the interdict.

Anti-Social Behaviour Order (ASBO)

In certain circumstances we, along with the Police, may apply to the courts for an ASBO. This is a court order that helps to protect the public from behaviour that causes, or is likely to cause, alarm or distress. An ASBO is not a criminal conviction and does not form part of a criminal record. However if you break the conditions of an ASBO, this is a criminal offence and you would have a criminal record.

Timescales for responding to anti-social complaints

We will aim to respond to any neighbour complaints as quickly as we can. However, depending on the seriousness of the complaint, we will aim to respond within a set timescale.

Neighbour complaints are divided into three categories depending on their seriousness and nature.

If we are unable to respond within the set timescale we will notify you.

Category A Extreme – 24 hours

Drug dealing, violent conduct, racial abuse, criminal behaviour or harassment.

Category B Serious – 3 working days

Frequent disturbances, vandalism or damage to property, threatening or abusive behaviour.

Category C Minor – 28 working days

Other nuisances or disputes, noise complaints, running a business, pet nuisance, stair cleaning, boundary disputes or family disputes affecting neighbours.

Repossession

If you are responsible for repeated and serious anti-social behaviour, we will take appropriate action to try and sort out the problem. If this doesn't work, we will take action to evict you.

The decision to evict you will be in line with the court's decision. We will consider the following:

- The form of anti-social behaviour, how often it happens, and for how long
- The seriousness of the behaviour
- The effect the behaviour is having on any person other than you
- Any action we have taken already to stop the behaviour prior to us taking repossession action.

Contact Us

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Our office opening hours are:

Monday, Tuesday & Thursday: 9am - 5pm

Wednesday: 9am - 1pm

Friday: 9am - 4pm

Our office is closed for staff training from 1pm every Wednesday.



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