



**Craigdale**  
HOUSING ASSOCIATION

## **Anti-Social Behaviour Policy**

**Date of Approval: 23.03.26**

**Date of Next Review: 2029**

**Craigdale Housing Association can provide this document on request, in different languages and formats, including Braille and audio formats.**

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## **KEY MESSAGE**

Craigdale Housing Association will not tolerate any level or any form of antisocial behaviour affecting tenants/residents. Where necessary we will use the most robust measures available to stop antisocial behaviour.

To achieve this end the Craigdale Housing Association will work positively in partnership with Glasgow City Councils Community Relations Unit (CRU) and Police Scotland who have expressed a strong commitment to this joint policy initiative.

## **CRAIGDALE HOUSING ASSOCIATION POLICY AIMS**

- Adopt a zero tolerance approach to antisocial behaviour affecting- Craigdale Housing Association Tenants
- Recognise that neighbour nuisance and antisocial behaviour is a multi-tenure issue and to ensure that appropriate mechanisms are in place to deal with the complex legal and practical issues associated with this
- Practice early intervention and the use of all available approaches to conflict resolutions, to prevent escalation and ultimately stop the antisocial behaviour
- Protect individuals' and households' entitlement to quietly enjoy their home
- Adopt a zero tolerance approach to violence against women and minority groups
- Promote and adopt a partnership approach (especially in close liaison with CRU)
- Provide a high quality, accountable and transparent service to meet the needs of all tenants and wider community interests
- Ensure effective management responses are initiated

## **ROLES AND RESPONSIBILITIES**

### **CRAIGDALE HOUSING ASSOCIATION**

It will be the responsibility of Craigdale Housing Association to receive, record, investigate, and action reports of antisocial behaviour to the point of resolution, or where appropriate, make a referral to the Community Relations Unit.

Following referral, the Housing Association will require to provide ongoing assistance to the Community Relations Unit such as provision of information, reports etc, and attendance at interviews, meetings, joint discussions and participation in court proceedings where applicable.

## HOUSING OFFICERS' ROLE

Housing Officers will be expected to

- Investigate all reports of Antisocial Behaviour / Neighbour Disputes in accordance with the procedure manual
- Provide advice, support and guidance to victims of Antisocial Behaviour
- Work with tenants, CRU, Police Scotland and external agencies with a view to tackling Antisocial Behaviour
- Engage with perpetrator to address their behaviour

## CATEGORIES OF COMPLAINTS

- **Definition of Antisocial Behaviour**

The legislation provides that a person engages in antisocial behaviour if they: act in a manner that causes or is likely to cause alarm or distress; or pursue a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them. In this definition "conduct" would include speech; and a course of conduct must involve conduct on at least two occasions.

"Alarm" involves fear or apprehension of danger

"Distress" involves some form of suffering. It goes beyond upset, or annoyance, or irritation or inconvenience

- **Reasonableness defence**

In determining whether a person has engaged in antisocial behaviour the sheriff will disregard any behaviour any behaviour shown to be reasonable in the circumstances (see section 4(3) of the Act). If relevant, this will be raised as a defence by the defender's agent and assessed by the Court at the submissions stage of any Hearing.

- The fundamental aim of dealing with reports of antisocial behaviour in the community is to resolve the problem. Officers will treat all complaints with due seriousness and will seek to identify the most appropriate method to achieve resolution.
- Where a complaint is received regarding a tenant or resident of Craigdale Housing Association, or a complaint relating to the tenancy, or vicinity of it, Officers will deal with the matter in accordance with these procedures.
- Where a relevant ASB complaint is made about a tenant or resident of a private let, or owner occupier or residents of that property, these complaints will be referred on to CRU directly for investigation.
- Officers will keep Complainers advised about progress and provide regular updates.

- Client confidentiality will be respected and treated with the utmost sensitivity. Officers will take care not to jeopardise the Complainer or their safety while investigating the complaint. The name of the person making the complaint must not be disclosed to the Perpetrator or a third party without their agreement.
- Officers will keep full and accurate records of telephone calls, verbal discussions and action taken regarding the handling of the complaint. (A range of standard letters and forms are provided as appendices).
- Officers will monitor information about the number and type of complaints received, the action taken and the outcome. This information should be reported regularly to the relevant Committee.

There are different categories of neighbour nuisance ranging from lifestyle disputes, conflict between neighbours, breaches of tenancy and serious antisocial behaviour. At times, it can be difficult to identify the category of complaint and to identify the most appropriate action to remedy that complaint.

To help officers identify the most appropriate action, there follows guidance on Categories A, B and C and examples of types of complaint. (The Procedure Flowcharts at Appendix 1 outline the steps to be taken when dealing with the three different categories of complaint identified.)

In all instances when complaints of antisocial behaviour are received they should be placed into one of the following categories:

### **CATEGORY A - Very Serious Complaints**

Complaints which concern a conviction for drug dealing (see Appendix 4), criminal behaviour involving serious incidents of violence or threats of violence towards any member of the public including members of staff, serious assault, serious harassment, racial harassment, incidents of sectarian abuse and serious damage to property, including fire raising. Typically, it is expected the Police will also be involved.

### **CATEGORY B – Serious Complaints**

Complaints which concern aggressive/abusive behaviour, frequent disturbance, vandalism, drug/solvent/alcohol abuse (which result in incidents of ASB), verbal/written harassment, and frequent and persistent excessive noise.

### **CATEGORY C – Nuisance Complaints**

Complaints which concern simple breaches of tenancy conditions. (These would normally be dealt with as Estate Management issues at Housing Officer level)

It is recognised that it is unlikely that all complaints will fit neatly within one category, however the complaints should be categorised in line with previous case history and the nature of the complaint.

**A few examples of how cases could be categorised are as follows:**

<u>Nature of complaint</u>	<u>Possible Category</u>
Serious assault, drug dealing, harassment (Including racial, sectarian or homophobic Incidents and harassment of people with disabilities)	Cat A
Assault, disturbances, threats of violence, persistent excessive noise complaints	Cat B
Environmental issues, unkempt gardens, noise from children playing, door banging, and other minor tenancy breaches	Cat C

## RECEIVING A COMPLAINT

A Complaint can be made in writing, verbally by telephone, or in person.

### Identify Previous Action

Where a complaint is first made, the Officer should ascertain what level of contact the complainer has had with their neighbour, assess how to proceed and which category the complaint falls in to. Details of all attempts to resolve the complaints informally should be taken.

### Assisting the Client Record the Complaint

When a complaint is made in person an officer can assist the client to record the complaint by completing the CR1 form if necessary. Officers must ensure that the complaint is fully recorded, accurate and reflects all the factual detail of the client's complaint. It is important that the CR1 form is signed and dated where possible by the Officer preparing the statement and the person making the complaint.

### Receiving anonymous complaints or complaints from reluctant witnesses

It is important that Registered Social Landlords are approachable to customers and that we are aware of what is happening within our neighbourhoods.

The acceptance of anonymous complaints or complaints from reluctant witnesses, will contribute towards our objective of early intervention and prevention while providing a customer focused service by not turning anyone away.

There are generally two reasons why complaints are made anonymously:

- They are not genuine and, made with malicious intentions or
- They are genuine and anonymous due to fear of reprisals.

The acceptance and investigation of anonymous complaints should be handled very sensitively. Housing Officers should use their discretion regarding the handling of the complaint. If the reason for the complaint is fear of reprisals, contact should be made with the Community Relations Unit and advice sought regarding the case. It is unlikely an anonymous complaint can be investigated but may provide useful intelligence. Care should be taken over human rights issues of the subject of an anonymous complaint.

## **RECORDING AND RESPONDING TO THE COMPLAINT**

### **RECORDING**

#### **Individual Case Files**

The letter of complaint or the CR1 should be kept in the ASB case file to record the steps taken throughout the investigation and to record verbal communication. All written communication must also be kept in the file.

#### **Neighbour Nuisance Complaints Statistical Information**

To enable Craigdale Housing Association to effectively monitor and analyse the nature and number of neighbour nuisance complaints it is essential that all complaints are recorded by the Housing Officer.

### **RESPONDING**

#### **Identify Previous History and Liaison with other Services**

In all cases the first step the Housing Officers should take is to refer to the house file for previous history and to establish if either the person being complained about or the person making the complaint has either a support worker or any other agency involvement, e.g. Glasgow City Council Social Work Services, Mental Health Agencies. If so the Housing Officer should contact the Agency/Service. However, if no support agency identified, use CR7 letter to inform relevant agencies if required.

(In some cases support workers, e.g. Social Worker may require to be present during interviews at a later stage to provide specialist support to the client, if applicable.)

### **Acknowledge the Complaint**

Housing Officers should acknowledge receipt of the complaints in writing using letter (CR2) within the time scales set out in Appendix 3 “Standard Response Times” for each category, from the date the complaint is received.

### **Identify the action required**

Generally, the action required will be determined by the category or nature of the complaint and based on the Housing Officer’s knowledge of any other circumstances or history.

Once the complaint has been categorised as Category A, B or C, the process outlined in the flowcharts (Appendix 1) should be followed.

## **INVESTIGATING COMPLAINTS**

### **Interview the person making the complaint (Complainer)**

Housing Officers should interview the Complainer in person within the standard response times (if possible) set out in Appendix 3. If the Complainer cannot attend or does not respond within the timescales this should be noted in the file. The interview is to be carried out by a Housing Officer, who will gather all necessary information by completing the standard “Neighbour Nuisance Complaint form (CR1). Visits and/or letter drop can be made to neighbours in the surrounding area; within the same building, or adjoining or adjacent buildings, to establish if either version of events can be confirmed.

**NB In consideration of the Complainer’s security and anonymity the Housing Officer should offer the Complainer the opportunity for the interview to be carried out in the Local Housing Office, rather than in their home.**

The purpose of the interview is to ascertain the facts of the complaint, gather all relevant information and ascertain if anyone else was involved or witnessed the incident.

Housing Officers should advise the Complainer of what happens next and confirm when they will be provided with an update on the situation.

If the Complainer agrees to log complaints, the “Neighbour Nuisance Incident Diary” should be issued and the Housing Officer should explain how the diary should be used and why it is important.

## **Interview the Alleged Perpetrator**

If on initial assessment there is a relevant complaint to justify investigation Housing Officers should gather all facts prior to interviewing the alleged perpetrator (ie other witnesses/complainers, Police information available from CRU etc), when satisfied with information received, arrange interview within the agreed timescales set out in the “Standard Response Times” (Appendix 2) for each category.

The purpose of the meeting will be to establish their view of the situation and gather facts to assist with the investigation by completing the interview form CR4, which should be kept on file. At the interview a full family composition can be taken of all the people living in the property i.e. name, DOB and relationship to the tenant where possible.

Officers should take an objective and non-judgemental approach at this stage. Care should be taken not to inflame the situation between the neighbours and the identity of the Complainer **MUST NOT** be disclosed. Officers must consider their personal safety when carrying out such interviews and should emphasise that they are not there to take sides but to hear their view of the situation.

**NB If the Alleged Perpetrator cannot be contacted letter CR5 should be sent proposing an appointment to discuss complaints. If this appointment is not kept letter CR6 should be sent. If this appointment is not kept Housing Officers could then issue CR11 (1<sup>st</sup> warning letter) if the complaint has been substantiated as a result of initial investigations, corroboration (i.e. other witnesses, Police warnings/charges or admissions) would be required to support a formal warning letter. If a warning is issued the case should be monitored for a period of 3 months.**

## **Liaise with other Services**

If any other agencies appear to be involved e.g. Social work, initial contact with them should be made at this stage.

## **OUTCOMES OF INTERVIEWS AND INVESTIGATIONS**

### **Outcome of initial interviews**

- **Allegation Accepted**

Housing Officers should consult with the senior housing officer/housing manager as necessary to identify the most appropriate action to remedy the situation, as outlined on page 14 “**appropriate action.**”

- **Allegation Denied or Denied in Part**

If the allegation is denied and further investigations are required the Housing Officer should either visit the neighbours, send out contact letters or in exceptional circumstances telephone neighbours in the surrounding area; within the same building, adjoining or adjacent, to establish if either version of events can be corroborated. Housing Officers should be discreet at this stage and must not disclose the identity of the Complainer.

## **Outcome of the investigation**

- **Complaint Not Substantiated**

If there is a lack of evidence to prove the complaint, the Housing Officer should close the case and notify the Complainer by letter (CR8) and the Alleged Perpetrator (CR9). All written communication must be kept in the file.

NB. Frequent unsubstantiated complaints may be discussed with the Community Relations Unit. Housing Officers should seek guidance from the Housing Manager/Senior Housing Officer (this may be to reassure the Housing Officer there is no relevant antisocial behaviour)

- **Allegation Substantiated**

If following the investigation sufficient evidence is found to substantiate the complaint, the Housing Officer should consult with the Housing Manager/Senior Housing Officer and identify the most appropriate action to resolve the situation (see page 14).

Generally, a complaint may be considered substantiated if e.g.

- Two independent Complainers confirm the same specific relevant incident of ASB
- A single complaint about a specific incident is confirmed by Police/noise team/other professional witness attendance and action (i.e. warning, caution or charge)
- CCTV or authenticated photographic evidence confirming an incident. (e.g. vandalism, gang fighting)
- A single complaint about a specific incident confirmed by an admission from the Perpetrator when interviewed regarding that incident.

This list is not exhaustive, guidance or advice can be sought from the Community Relations Unit at any time.

## APPROPRIATE ACTION

### Mediation

Mediation is an extremely valuable tool to address neighbour disputes. Mediation can be actively considered in all neighbour disputes at any stage in an effort to resolve disagreements. Mediation should not be ruled out at any point of an investigation.

See Appendix 4 for further guidance.

### Acceptable Behaviour Contracts

Acceptable Behaviour Contracts (ABCs) are voluntary agreements between an individual the Housing Association and other relevant partners e.g. CRU, they can be a useful measure in resolving and deterring antisocial behaviour.

Consider the use of an Acceptable Behaviour Contract (ABC), especially with young people under 16. Note if the ABC is the first intervention for under 16s, and there are further corroborated relevant incidents of ASB, a first warning is generally the next most appropriate step.

See Appendix 4 for further guidance.

### First Warning

A First Warning should be given when:

- It is a complaint that is justified (it is ASB defined by the Act, there is a named complainer and there is corroboration, and it warrants action).
- Where a warning has been issued. The case will be monitored for a period of 3 months and then closed if there are no further incidents. If further complaints are received after the case has been closed it is treated as a new complaint and a fresh first warning letter should be issued unless in exceptional circumstances.

### Procedures for Giving a First Warning:

A Housing Officer (accompanied by a colleague) should arrange an interview to issue a First Warning and the discussions should include:

- If the perpetrator is a tenant remind them of their tenancy agreement and obligations, referring to the appropriate section of the Tenancy Agreement.
- If the perpetrator is not the tenant but a member of the household remind them of the impact on the tenancy for the whole household.
- Advise on the provisions of the Antisocial Behaviour etc Scotland Act 2004 (ASBOs)
- If the perpetrator is not a tenant, or member of a household, advise on the provisions of the ASB Act

- Specify the behaviour that is not acceptable
- Explain why the behaviour is not acceptable
- Describe the change in behaviour that is required
- Ask if the person is in agreement to remedy the offending behaviour
- Advise that failure to remedy the behaviour will result in further action being taken
- Housing Officer should then send out form CR10 “First Warning letter”.

Housing Officers should refer to the flowcharts (Appendix 1) for guidance on procedures.

### **Monitoring the Impact of the First Warning**

The situation should be monitored for an appropriate period of time (normally around 3 months) by telephoning or visiting the Complainer.

### **Second Warning**

#### **Liaison with other agencies**

Prior to issuing a Second Warning, Housing Officers should consider all relevant circumstances connected with the Perpetrators behaviour and liaise with support agencies (if required) objective of assisting the Perpetrator to remedy the behaviour in the most effective way possible.

Second Warnings should be given when:

- A First Warning has been issued and there is enough evidence that the antisocial behaviour continues within the three month monitoring period, the Housing Officer should then send out letter CR13 (Second Warning to the Perpetrator).

Consideration also includes whether the tenant has refused support or has not maintained a support package agreed with the assistance of another support agency, e.g. Glasgow City Council Social Work Services, Mental Health Agencies and the antisocial behaviour has not been remedied.

The Housing Officer should then contact the Complainer and an update should be provided (CR15). Care should be taken not to disclose sensitive personal information about third parties (can also include the perpetrator).

When investigations have been carried out which prove a need for further action and a Second Warning has been identified as the most appropriate action, Officers should refer to the flowcharts (Appendix 1) for procedural guidance.

### **Monitoring the Impact of the Second Warning**

The situation should be continually monitored by telephoning where possible or by writing to the Complainer normally for 3 months

## **Outcome of the Second Warning**

- **Satisfactory Outcome: The behaviour is remedied**  
Case records are accurate and in order. The case file should be placed in the ASB file of the Perpetrator and a copy of the Complainer interview form (CR1) should be placed in the Complainer's house file for further reference. No further action is required.
- **Unsatisfactory Outcome: the antisocial behaviour is still ongoing – further justified complaints**

**CONSIDER REFERRING THE CASE TO, OR LIAISE WITH, THE COMMUNITY RELATIONS UNIT.**

**Send CR 18 to perpetrator and CR 19 to complainer advising of referral.**

## **REFERRAL TO THE COMMUNITY RELATIONS UNIT**

### **Criteria for referring a Case**

There should be immediate consultation with the Community Relations Unit regarding **Category A** complaints, followed by referral to CRU if appropriate.

**Category B cases** should be referred to the Community Relations Unit when Housing Officers have carried out their investigations and:

- A Second Warning has been issued and a further **relevant** incident has occurred.

**OR**

- After discussion with CRU regarding some exceptional circumstances where investigations have been carried out and are not substantiated. However, complaints continue to be made.

It should be noted that referrals are not restricted to the above criteria.

There may be occasions when the Community Relations Unit becomes involved at an earlier stage dependant on individual circumstances of the case.

Housing Officers should not hesitate to seek advice from the Community Relations Unit if a referral is considered appropriate.

## The Referral Procedure (see Flowcharts - Appendix 1)

The Housing Officer should discuss the referral with the Housing Manager/Senior Housing Officer and follow the procedure outlined in Flowcharts (Appendix 1).

Complete the two-page Community Relations Unit referral form CR16, send CR 18 to perpetrator and CR 19 to complainer.

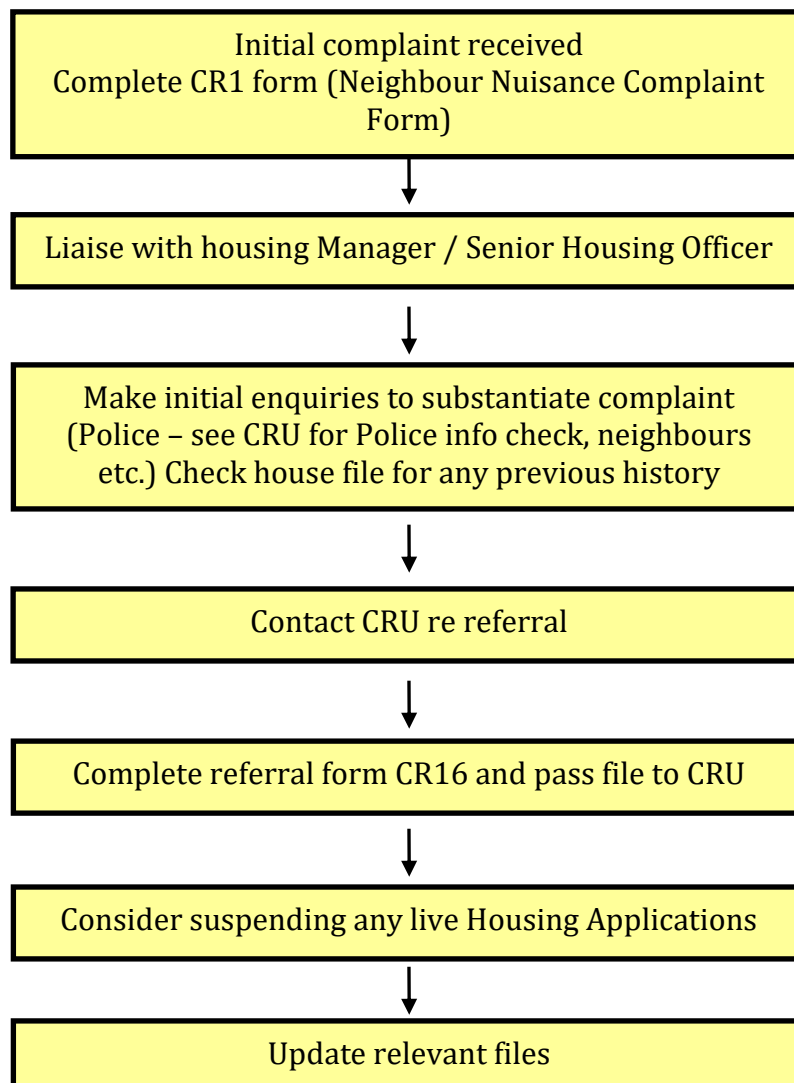
On referral to the CRU, consideration should be given to suspending a Perpetrator's Housing Application if this has not already been done.

## Communication

The Community Relations Officer will keep the Housing Association regularly advised of the progress of the case and call a case discussion meeting before a decision to commence any legal action is made.

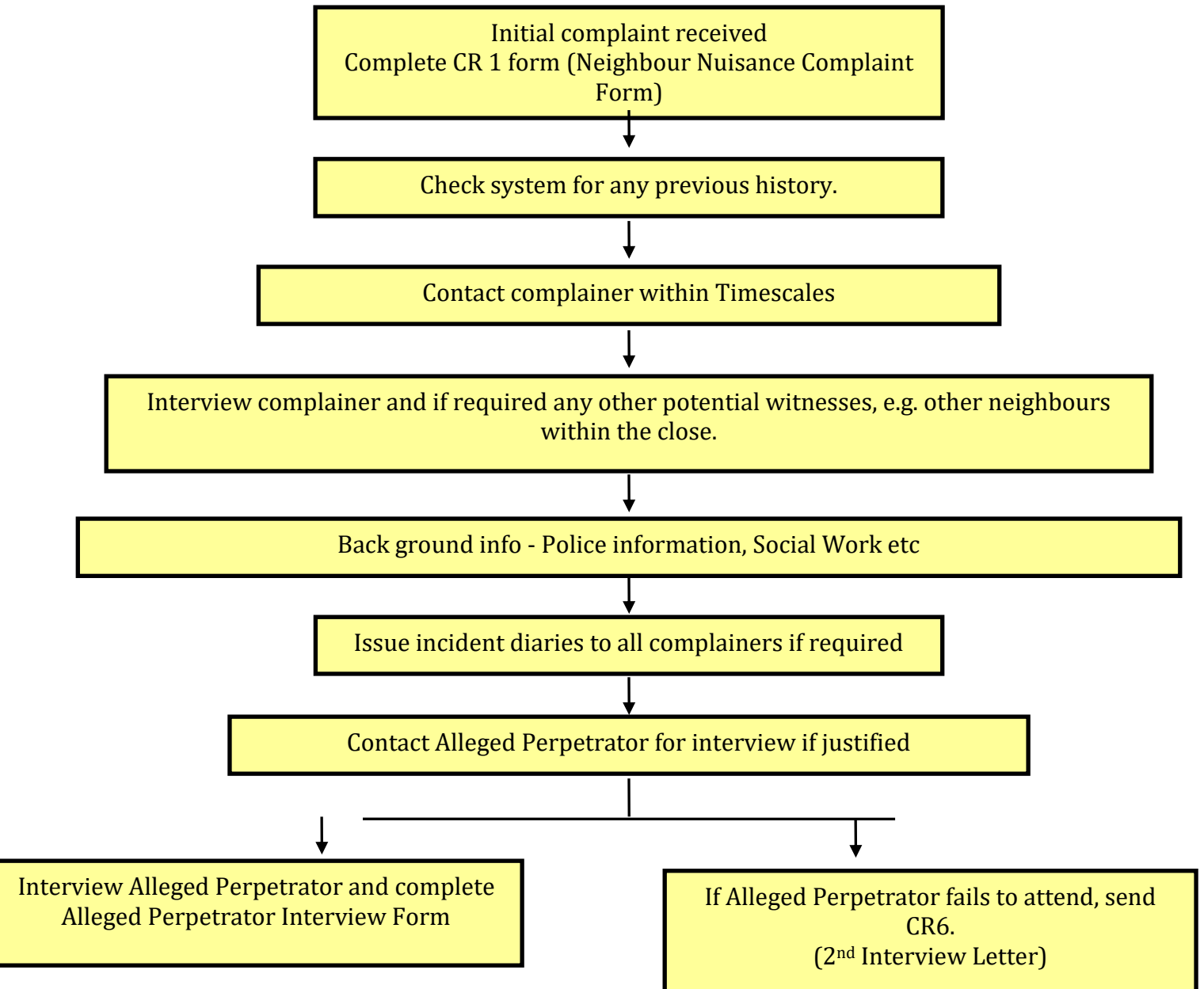
### Step by Step Procedures and Referral Guidelines – A

These steps should be used when dealing with Category A cases.



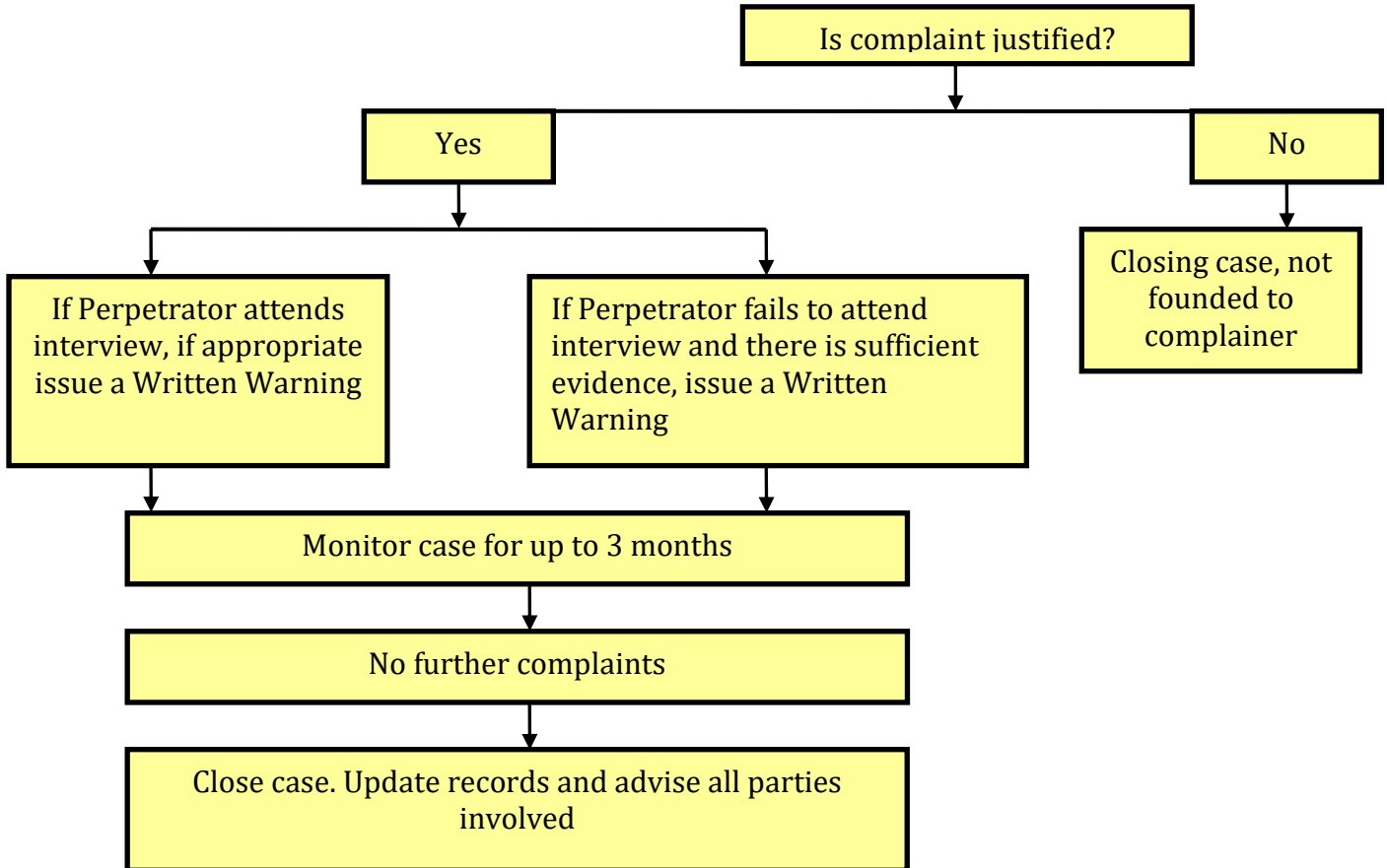
## Step by Step Procedures and Referral Guidelines – B1

These steps should be used when dealing with Category B cases



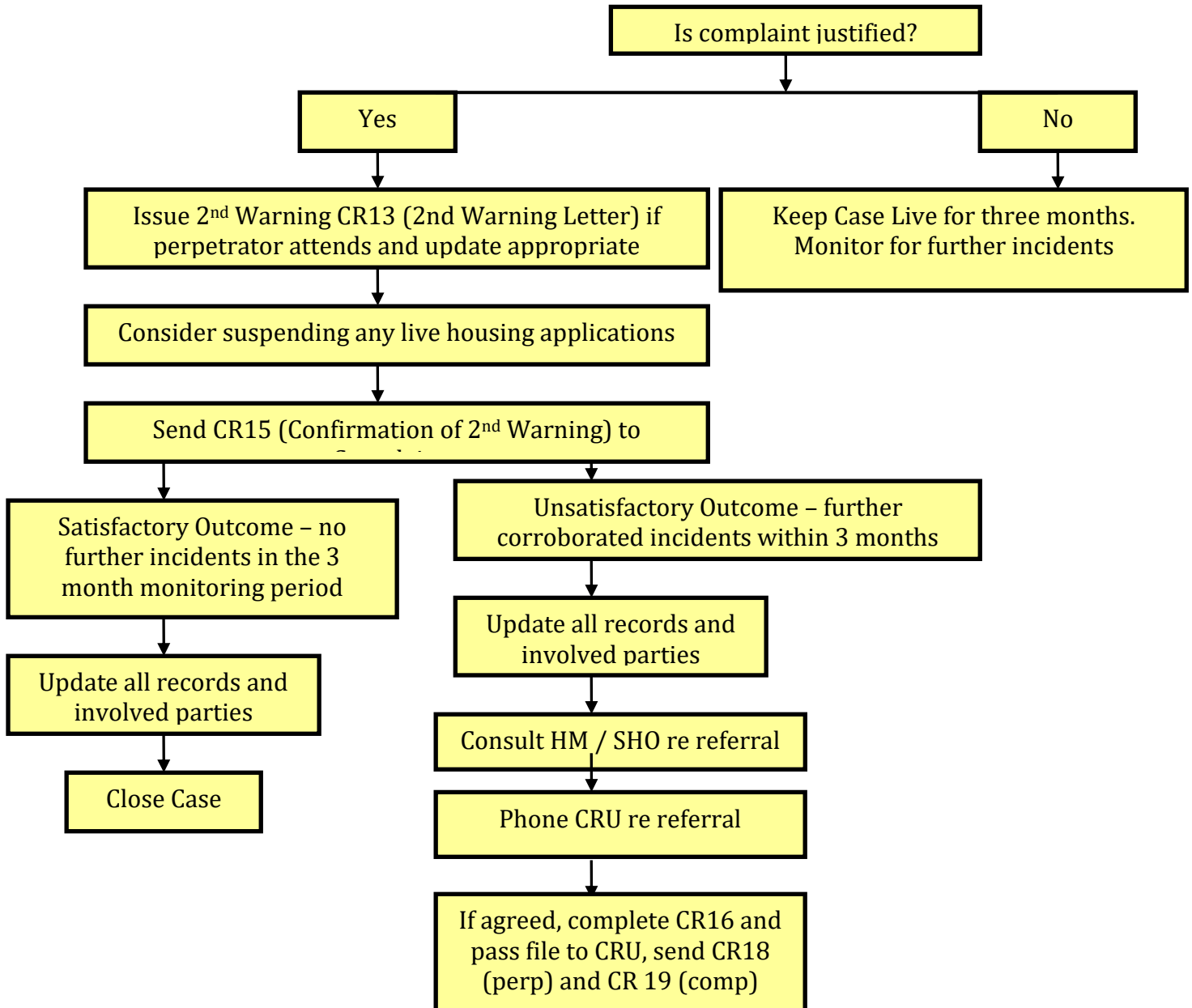
## Step by Step Procedures and Referral Guidelines – B2

These steps should be used when dealing with Category B cases



## Step by Step Procedures and Referral Guidelines – B3

These steps should be used when dealing with Category B cases



## APPENDIX 2

### STANDARD FORMS AND LETTERS

CR1	Neighbour Nuisance Complaint Form
CR 2	Acknowledge to Complainer
CR 3	Letter to Surrounding Residents
CR 4	Alleged Perpetrator Interview Form
CR 5	1 <sup>st</sup> Interview Letter
CR 6	2 <sup>nd</sup> Interview Letter
CR 7	Agencies
CR 8	Closing Case (not founded) to Complainer
CR 9	Closing Case (not founded) to Perpetrator
CR 10	1 <sup>st</sup> Written Warning Letter
CR 11	1st Written Warning Letter (failed to attend interviews)
CR 12	Confirmation to Complainer of 1 <sup>st</sup> Warning
CR 13	2nd Warning Letter
CR 14	2nd Warning Letter (failed to attend interviews)
CR 15	Confirmation to Complainer of Second Warning
CR 16	Referral to CRU from HA (two pages)
CR 17	Example drugs letter
CR 18	Notification letter to Perpetrator of referral to CRU
CR 19	Notification to Complainer of referral to CRU
Med1	Mediation Referral Form.

## APPENDIX 3

### STANDARD RESPONSE TIMES

Once a complaint has been received, categorised and entered onto the CR1, it should be processed in line with the following timescales where possible:

	<b>Category A</b>	<b>Category B</b>	<b>Category C</b>
INITIATE CONTACT WITH COMPLAINER	24 HOURS	5 WORKING DAYS	5 WORKING DAYS
INITIATE CONTACT WITH NEIGHBOURS/ WITNESSES	24 HOURS	5 WORKING DAYS	5 WORKING DAYS
INITIATE CONTACT WITH PERPETRATOR IF CONFIRMED ASB	24 HOURS	7 WORKING DAYS	7 WORKING DAYS
LIAISE WITH OTHER AGENCIES IF REQUIRED	24 HOURS	9 WORKING DAYS	9 WORKING DAYS

## ADVICE ON MEDIATION, ABCs, SCRA AND DRUGS CASES

### Mediation

The Mediation Service is provided by GCC Neighbourhoods and Sustainability

Mediation is available to all citizen's of Glasgow and is very effective in resolving neighbour disputes. All parties have to be willing to take part.

### Criteria for Referral:

Voluntary involvement

Willingness and capacity to listen and communicate with others

### Cases that may not be suitable for mediation

Potential for violence (or threats of violence that are likely to be enacted) between the parties or between the parties and the mediators

Substance addiction or mental health that creates such instability in a party that they are incapable of contributing to the mediation process

Cases involving allegations and/or evidence of child abuse

Cases where legal proceedings (criminal charges or civil writs) have been initiated and are actively progressing, unless otherwise agreed by the procurator fiscal

Cases where entrenched beliefs of a racial, sectarian or otherwise discriminatory nature are central to or substantially influential upon the dispute

Referral is made by completing the form **Referral to GCC Mediation Service**, see app 2.

**RSL's should make referrals direct to GCC Mediation Service at:**

[commsafetymediation@glasgow.gov.uk](mailto:commsafetymediation@glasgow.gov.uk)

## **Acceptable Behaviour Contracts (normally after case referred to CRU)**

Acceptable Behaviour Contracts are voluntary (not legally binding) agreements entered into between an individual and the Housing Association/Community Relations Unit (and others if required) in an attempt to modify behaviour. The purpose of the Contract is for the individual to distinguish between right and wrong and be willing to change their behaviour. Although failure to comply does not result in any particular sanction, they can sometimes be a useful measure in deterring antisocial behaviour and provide a body of evidence to pursue further legal action where appropriate.

ABCs can be used for various anti social activities including graffiti, vandalism, gang activity.

The subject of the ABC (if over 16 years of age) or the subject is under 16 years of age the parent or guardian as well, would be invited for interview to discuss the antisocial behaviour reported. They would then be asked to consider signing up to the ABC and to agree what conditions they would include. For U16s consideration should be given to informing Social Work Services if the antisocial behaviour is of particular concern.

Should the person concerned or the parents decline the opportunity to sign up to the ABC, then an Unacceptable Behaviour Notice could be issued if it forms part of the escalation process i.e. if 1<sup>st</sup> and 2<sup>nd</sup> warning have already been issued. Where the ABC has been used as an early intervention for U16s a first warning could be considered.

Unacceptable Behaviour Notices are normally issued to persons who decline to sign up to an Acceptable Behaviour Contract. The Notice is designed to inform the subject of the behaviour which is deemed to be unacceptable by Housing Association/Community Relations Unit and Police Scotland.

If the subject does not attend an arranged interview, the UBN should be signed by the Housing/CRU Officer, the member of Police Scotland (if relevant) and then hand delivered or by recorded delivery to the subject where possible.

## **Referral of Children to the Scottish Children's Reporter Administration (SCRA)**

Any individual or organisation may refer a child to the SCRA. The Reporter assigned to the case would seek information from various agencies that had an involvement with the child (Schools, Nurseries, Health Visitor, Police, and Housing)

The priority is early intervention to address the offending behaviour and provide support.

The referral maybe for incidents of antisocial behaviour, any form of abuse being suffered by the child or any other child protection matter. The Children's Reporter will also accept referrals relating to concerns about a child or family which have arisen out of investigations of alleged incidents of antisocial behaviour in and around a tenancy in which a child is, or appears to be, residing.

A referral should be made in writing by the Housing Officer, signed off by the director to:

**The Principal Children's Reporter  
The Scottish Children's Reporter Administration  
10/20 Bell Street,  
Glasgow  
G1 1LG**

**Telephone: 0141 567 7957**

**Fax: 0141 567 7903/4**

## **Drugs related cases**

### **Relevant Drugs Charges**

A referral should be made to the Community Relations Unit when the Craigdale Housing Association is formally notified of drugs charges by Police Scotland as it is considered a Category A complaint. Relevant charges are listed below:

- Supply of a controlled drug in terms of section 4(3)(a) Misuse Of Drugs Act 1971
- Being concerned in the supply of a controlled drug with intent to supply in terms of section 4(3)(b) Misuse Of Drugs Act 1971
- Being in possession of a controlled drug with intent to supply in terms of section 5(3) Misuse Of Drugs Act 1971

### **Allegations of Drug Dealing**

Where allegations are received of drug dealing from tenants or other sources, these should be passed onto Police Scotland. Should evidence exist, Police Scotland should be notified and provided with the evidence available.

## **Complaints of Harassment**

Craigdale HA recognises that while any of our customers may experience anti-social behaviour and neighbour disputes some groups of people are much more likely to experience harassment, often resulting in verbal and physical attacks. This is often because of their race, colour, faith, sexuality, sexual orientation or disability. The impact of this type of harassment on individuals, families and communities is often devastating and cannot be underestimated.

Craigdale HA has a legal and moral duty to respond to and eliminate discriminatory practices, including harassment. This is reflected throughout Craigdale HA's policy and procedural framework, which offers protection from harassment to all people living in our houses, whether they are a direct tenant or are living in accommodation leased to an organisation.

## **Principles**

We should stick to the following principles to provide an effective response to complaints of harassment:

- a victim-centred approach - this essentially means that, if someone believes that they are being racially harassed, experiencing homophobic harassment or being harassed because of their faith or because they are disabled etc, this should be investigated as such. In other words, subjective assumptions should never be made when dealing with complaints of this nature
- an informed and consensual approach that provides for the active involvement of the victim
- a commitment to investigate complaints and to take appropriate action against perpetrators
- adoption of a multi-agency approach if required

**CRAIGDALE HOUSING ASSOCIATION  
NEIGHBOUR NUISANCE COMPLAINT FORM**  
Please provide as much information as possible  
Please complete in **BLACK** ink

Name & address of complainer

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel No \_\_\_\_\_

Name & address of alleged perpetrator

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Complaint Received

Date of Incident

Details of Complaint –

What's happening?

When and how often?

How is this affecting you?

Are there any other witnesses?

Have the police and or noise team been involved?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_



Our Ref:  
Contact:  
Telephone:

Date:

Mr First Name Surname  
Street Name  
District  
City

Dear

**ANTI SOCIAL BEHAVIOUR**

Thank you for your complaint (date/received). I confirm that a full investigation will commence into your complaint.

You will be contacted by this office and advised of the next stage of our investigation at the very latest within 5 working days.

Yours sincerely

(Designation)

Our Ref:  
Contact:  
Telephone:  
Date:

Mr First Name Surname  
Street Name  
District  
City

Dear

**Antisocial complaint**

----- HA is currently investigating alleged acts of antisocial behaviour carried out by one of your neighbours.

In order to gather all relevant information I would be obliged if you would contact me on the above telephone number to make me aware of any incidents of antisocial behaviour you may have experienced.

I look forward to hearing from you.

Yours sincerely

(Designation)

Our Ref:

Contact:

Telephone:

Date:

Mr First Name Surname

Address

District

City

Dear

ANTI SOCIAL BEHAVIOUR

I have received a complaint regarding *DELETE AS REQUIRED - Antisocial Behaviour/ the conduct of your tenancy/your conduct in the locality of your tenancy/ your conduct at (specify location)* and request that you attend an interview at *(Place of Meeting)* on *(Date and Time of Meeting)* to discuss the complaints.

If the above date and time is unsuitable please contact *(officer name)* at the address detailed above to arrange another appointment.

Yours sincerely

(Designation)

Our Ref:  
Contact Name:  
Telephone No:

Date:

Mr First Name Surname  
Address  
District  
City

Dear

**ANTI SOCIAL BEHAVIOUR**

I refer to my letter (*insert date*) and note that you failed to attend the meeting arranged for (*insert date*). I have arranged for a further interview on (*insert date*) at (*time of meeting*) in (*address of meeting*).

**Failure to comply with the above may result in further action being taken which *may affect your tenancy (delete is required) and/or* may result in proceedings to obtain an Antisocial Behaviour Order**

Yours sincerely

(Designation)

Our Ref:  
Contact:  
Telephone:

Date:

Agency  
Address  
District  
City

Dear

**Subject (insert tenant name and address)**

I have received complaints regarding the above named tenant in relation to anti-social behaviour. It is our intention to investigate these complaints fully, and take appropriate action if necessary.

If you have any involvement with this individual or his/her family and wish to discuss this matter please contact me.

Yours sincerely

(Designation)

Our Ref:  
Contact:  
Telephone:

Date:

Mr First Name Surname  
Address  
District  
City

Dear Sir

**ANTI SOCIAL BEHAVIOUR**

As you are aware this Office has been carrying out investigations into your complaint dated \_\_\_\_\_.

After a full investigation *and our meeting/phone call on (add date)* I am satisfied that at this present time, no further action is required because *for example delete or add as required*

*No further incidents*

*No formal action possible due to living noise*

*Perpetrator moved away*

Should you wish to discuss this matter further or if you experience any further problems please do not hesitate to contact me on the above telephone number.

Yours sincerely

(Designation)

Our Ref:  
Contact:  
Telephone:

Date:

Mr First Name Surname  
Street Name  
District  
City

Dear Sir

**ANTI SOCIAL BEHAVIOUR**

As you are aware, ----- HA have been carrying out an investigation into *the conduct of your tenancy/antisocial behaviour*.

I can confirm that the investigation is now complete and can advise that, at this time, no further action will be taken.

Yours sincerely

(Designation)

Our Ref:  
Contact:  
Telephone:

Date:

Mr First Name Surname  
Street Name  
District  
City

Dear Sir

**ANTI SOCIAL BEHAVIOUR – WRITTEN WARNING**

I refer to our meeting on *(date of last interview)* concerning the complaint(s) of Anti-Social Behaviour, which have been received regarding *you/your tenancy*.

Present at the meeting were *(list of those present)*.

During the course of the interview you were given a warning because you were found to *have acted in an antisocial manner/be in Breach of your Tenancy Agreement with Craigdale Housing Association* by the following conduct:

- *(Bullet points of behaviour)*

I am therefore, writing to confirm the warning and to advise you that this behaviour must stop immediately. Any repetition will not be tolerated and may result in legal action being raised against you.

Please note, this letter constitutes a first written warning in accordance with Craigdale Housing Association's Anti-social Behaviour Policy and Procedures. It will be held on record and will be taken into account and acted upon in any subsequent investigations or legal action.

You may wish to obtain independent legal advice regarding this matter from your own solicitor or by contacting the Citizens Advice Bureau.

Yours sincerely

(Designation)

Our Ref:  
Contact:  
Telephone No:

Date:

Mr First Name Surname  
Address  
District  
City

Dear Sir

**ANTI SOCIAL BEHAVIOUR**

Further to our meeting of (*date*) I am writing to advise you that I have investigated your complaint and have taken appropriate action.

I anticipate that this should resolve the matter however, should you have any further enquires regarding this case, please do not hesitate to contact me on the above telephone number.

Yours sincerely

(Designation)

Our Ref:  
Contact:  
Telephone:

Date:

Mr First Name Surname

Address

District

City

Dear

ANTI SOCIAL BEHAVIOUR – SECOND WRITTEN WARNING

I refer to our meeting on *(date of last interview)* concerning further complaint(s) of Anti Social Behaviour, which have been received regarding *you/your tenancy*.

Present at the meeting were *(list those present)*.

During the course of the meeting you were given your second warning because you were again found to have *acted in an antisocial manner/ be in breach of your tenancy agreement* by the following conduct

- *(Bullet points of behaviour)*

These complaints have been investigated and justified.

As you have continued to act in an antisocial manner/continued to allow others to act in an antisocial manner I must advise you that, if further justifiable complaints are received, your case will be referred to Glasgow City Council's Community Relations Unit for investigation. This may have an adverse effect on your tenancy.

Please note, this letter constitutes a second written warning in accordance with Craigdale Housing Association's Anti-social Behaviour Policy and Procedures. It will be held on record as per our records retention policy and will be taken into account and acted upon in any subsequent investigations or legal action.

You may wish to obtain independent legal advice regarding this matter from your own solicitor or by contacting the Citizens Advice Bureau.

Yours sincerely

(Designation)

Enc.

Our Ref:  
Contact:  
Telephone:

Date:

Mr First Name Surname  
Address  
District  
City

Dear

**ANTI SOCIAL BEHAVIOUR – SECOND WRITTEN WARNING**

I refer to my letters dated \_\_\_\_\_ and \_\_\_\_\_ requesting that you attend an interview to discuss the *complaints of antisocial behaviour/way in which you continue to conduct your tenancy*.

I am disappointed to note that you have failed to attend any of these interviews or attempted to make any contact with this office.

I can advise you that Craigdale Housing Association have received further complaints regarding:

- *(Bullet points of behaviour)*

These complaints have been investigated and justified.

As you have continued to act in an antisocial manner/continued to allow others to act in an antisocial manner I must advise you that, if further justifiable complaints are received, your case will be referred to Glasgow City Council's Community Relations Unit for investigation. This may have an adverse effect on your tenancy.

Please note this letter constitutes a second written warning in accordance with Craigdale Housing Association's Anti-social Behaviour Policy and Procedures. It will be held on record as per our data retention policy and will be taken into account and acted upon in any subsequent investigations or legal action.

You may wish to obtain independent legal advice regarding this matter from your own solicitor or by contacting the Citizens Advice Bureau.

Yours sincerely

(Designation)

Enc.

Date:

Mr First Name Surname  
Address  
District  
City

Dear

**ANTI SOCIAL BEHAVIOUR**

Further to our meeting of (*date*) I am writing to advise you I have investigated your ongoing complaint and can confirm that further appropriate action has been taken.

I will contact you, in due course, to advise of further developments, however, in the meantime should you have any further enquiries regarding this case please do not hesitate to contact me.

Yours sincerely

(Designation)

# NEIGHBOUR NUISANCE

## REFERRAL TO COMMUNITY RELATIONS UNIT

Referring HA: \_\_\_\_\_ Category of case A/B/C Date: \_\_\_\_\_  
 Housing Officer: \_\_\_\_\_ Contact phone number: \_\_\_\_\_  
 Approx date nuisance started: \_\_\_\_\_ Any other action pending (eg rent arrears)? \_\_\_\_\_

**CASE DETAILS:**  
 Name of alleged perpetrator: \_\_\_\_\_ Telephone no: \_\_\_\_\_  
 Address: \_\_\_\_\_ Post Code: \_\_\_\_\_  
 \_\_\_\_\_ Tenure Type: \_\_\_\_\_  
 Tenancy Start Date \_\_\_\_\_ House Size/Type: \_\_\_\_\_

<u>Household composition</u>		
Name:	Date of Birth:	Relationship to Tenant:

Any previous referral involving this alleged perpetrator? YES/NO If Yes, give date of referral.....

Name of principal complainer: \_\_\_\_\_ Telephone no: \_\_\_\_\_  
 Address: \_\_\_\_\_ Tenure Type: \_\_\_\_\_

Date of Case Conference (if any) and Names of Officers in Attendance:

Any information to be considered regarding Personal Safety:

Any other relevant information, eg Social Work involvement, disability, language

**Brief summary of nuisance:**

Signature of HM/SHO: \_\_\_\_\_ Housing Officer: \_\_\_\_\_  
 .....Date..... .....Date.....

**Referral accepted by CRU**  
 Signature:..... Date.....

**REFERRAL TO COMMUNITY RELATIONS UNIT**

**HOUSING OFFICER CASE HANDOVER CHECKLIST**

<b>Paperwork to be included in Referral</b>	<b>Completed</b>	<b>Date</b>
<b>CR1.</b> (Neighbour Nuisance Complainer Form) ( <b>signed and dated</b> ) Or letter of complaint		
<b>CR2.</b> Acknowledge to Complainer		
<b>CR3.</b> Letter to Surrounding Residents		
<b>CR4.</b> Alleged perpetrator interview form		
<b>CR5.</b> 1 <sup>ST</sup> Interview Letter		
<b>CR6.</b> 2 <sup>ND</sup> Interview Letter		
<b>CR7.</b> Agencies		
<b>CR8.</b> Closing Case (not founded) to Complainer.		
<b>CR9.</b> Closing Case (not founded) to alleged Perp		
<b>CR10.</b> First Warning Letter		
<b>CR11.</b> First Warning – Failed to attend interviews		
<b>CR12.</b> Confirmation to Complainer of First Warning		
<b>CR13.</b> Second Warning Letter		
<b>CR14.</b> Second Warning Letter – Failed to attend interviews		
<b>CR15.</b> Confirmation to Complainer of Second Warning		
<b>CR16.</b> Referral to CRU		
<b>CR17</b> Drug Related Letter		
<b>CR18</b> Referral letter to Perpetrator		
<b>CR 19</b> Referral letter to Complainer		
<b>1:63:1</b> Police Information Form		

<b>Signature of HM/SHO:</b>		<b>Date:</b>	
<b>Housing Officer:</b>		<b>Date:</b>	

Our Ref:  
Contact:  
Telephone:

Date:

Mr First Name Surname  
Street Name  
District  
City

Dear Sir

### **ANTI-SOCIAL BEHAVIOUR**

I refer to your interview at Craigdale Housing Association on (*Date*).

Present at the meeting were (*list of those present*)

During the meeting it was explained to you that Craigdale HA have been notified by Police Scotland that a report has been sent to the Procurator Fiscal in respect of a *contravention of the Misuse of Drugs Act 1971 OR ENTER OTHER RELEVANT CHARGE THAT JUSTIFIES A TENANCY RECOVERY* at your tenancy/in the locality of your tenancy.

I made you fully aware of your Tenancy Agreement. If found guilty of the relevant charges this could form ground for recovery of your tenancy **Under the Housing Scotland Act 2001, Schedule 2, Part 1, Ground 2- Using property for illegal or immoral purposes or convicted of an offence punishable by imprisonment in, or in the locality of, the property.**

I can confirm that your case has been referred to Glasgow City Council's Community Relations Unit who will monitor the case against through the Criminal Court system.

If you are convicted, Craigdale HA will make a decision in conjunction with our Solicitors regarding the security of your current tenancy.

I advise you to seek legal advice regarding this matter.

If you wish to discuss any aspect of this letter please contact me on \_\_\_\_\_.

Yours sincerely

(Designation)

Our Ref:  
Contact:

Telephone:

Date:

Mr First Name Surname

Address

District

City

Dear

**ANTI SOCIAL BEHAVIOUR**

I refer to our meeting on (*date of last interview*) concerning further complaint(s) of Anti Social Behaviour, which have been received regarding *you/your tenancy*.

Regrettably, we have received further justifiable complaints regarding your *conduct/tenancy* and therefore we have referred your case to Glasgow City Council's Community Relations Unit for investigation.

An Officer from the Community Relation Unit will contact to arrange an interview to discuss this matter further.

If you wish to speak with me regarding this referral, please do not hesitate to contact me on .....

You may wish to obtain independent legal advice regarding this matter from your own Solicitor or by contacting the Citizens Advice Bureau.

Yours sincerely

(Designation)

Enc.

Date:

Mr First Name Surname

Address

District

City

Dear

**ANTI SOCIAL BEHAVIOUR**

I refer to meeting/discussion on .....

As a further complaint has been received regarding your neighbour, I can confirm that this matter has now been referred to Glasgow City Council's Community Relations Unit for investigation.

An Officer from the Unit will contact you to discuss this matter further.

I trust this course of action is satisfactory, however if you wish to speak to me regarding this, please do not hesitate to contact the office on .....

Yours sincerely

(Designation)

