

Management of Antisocial Behaviour Policy (New Zealand)

1. Purpose

To define HOME in PLACE (New Zealand) Limited (HOME in PLACE NZ) position on the management of antisocial behaviour within the HOME in PLACE portfolio.

2. Scope

This Policy applies to HOME in PLACE (New Zealand) Limited (HOME in PLACE NZ) and its directors, Governance Committee and Advisory members and Employees (or Workers) engaged to carry out business activities on behalf of HOME in PLACE.

3. Policy Statement

HOME in PLACE NZ is committed to successful tenancies and sustainable communities and will utilise a range of early intervention strategies to assist tenants to maintain their tenancies.

HOME in PLACE NZ manages tenancies in accordance with the provision of the *Residential Tenancies Act 1986* and associated *Regulations*. Reports of alleged antisocial behaviour are managed as tenancy issues and will be referred to branch staff to action in the first instance. Actions taken by HOME in PLACE NZ will be dependent on the severity and frequency of the alleged behaviour and the impact on the health and safety of neighbours and the community.

HOME in PLACE NZ recognises that the majority of tenants are good neighbours and members of their communities. Tenants who continue to meet their obligations under their tenancy agreements will not be affected by this policy.

However, HOME in PLACE NZ will not tolerate continued antisocial behaviour that interferes with the peace, comfort, privacy or safety of neighbours and community. Where tenant engages in unacceptable behaviour, HOME in PLACE NZ will take action to assist tenants to address and cease the behaviour. Where behaviour is considered to be dangerous, severe or illegal, HOME in PLACE NZ will take immediate action to seek to end the tenancy.

HOME in PLACE NZ aims to support vulnerable tenants and families by addressing antisocial behaviour that places them at risk. HOME in PLACE NZ will refer tenants, with their consent, to appropriate support services.

HOME in PLACE NZ will endeavour to balance the needs and rights of other tenants, neighbours and the broader community with the need to support their tenants to sustain their tenancies. It is not the role of HOME in PLACE NZ to conduct criminal investigations, such matters are the responsibility of the police.

What is antisocial behaviour

In accordance with Residential Tenancies Amendment Act 2020 antisocial behaviour means:

- Harassment; or
- Any other act or omission (whether intentional or not), if the act or omission reasonably causes alarm, distress, or nuisance that is more than minor.

Examples of antisocial behaviour that may fit this description include the following, however, this is not an exhaustive list:

- loud aggressive behaviour by tenant towards the neighbours or to each other if it reasonably causes alarm or distress to others;
- parking across a shared driveway repeatedly, especially if someone is not readily available to move the vehicle;
- leaving rubbish in shared areas/pathways;
- noise control callouts where a problem has been found;
- any intimidating behaviour including hate speech expressing hate or behaviour that encourages violence towards someone based on race, religion or sexual orientation;
- invasion of privacy including via CCTV, loitering on someone's property;
- graffiti or other damage to a neighbour's property or public property.

More serious types of antisocial behaviour may include, but is not limited to:

- physical assault;
- damage to property;
- illegal use of property.

Principles

HOME in PLACE NZ will be guided by the following principles in the implementation of this policy:

- Tenants are provided with clear information on their rights and responsibilities pursuant to their tenancy agreement at the commencement of their tenancies;
- Reports of alleged antisocial behaviour will be taken seriously and actioned appropriately;
- The process for managing/investigating reports of alleged antisocial behaviour will ensure the principles of procedural fairness are applied;
- Tenants will be given the opportunity to respond to reports of alleged antisocial behaviour;
- Action will be taken when reports of antisocial behaviour are substantiated;
- When reports are substantiated, tenants are given the opportunity to remedy the breach;
- Tenants will be provided with information on complaints, appeals processes, and
- Tenants will be provided with contact details of legal/tenancy advice services.

4. Responsibilities

All HOME in PLACE NZ workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of HOME in PLACE NZ policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to HOME in PLACE NZ clients,
- inform HOME in PLACE NZ's clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of HOME in PLACE NZ's policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about HOME in PLACE NZ Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved HOME in PLACE NZ's Policy and Procedures to be reported and managed.

5. Implementation and Review

This policy is listed on HOME in PLACE NZ's Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside HOME in PLACE NZ without approval. The policy is reviewed regularly and published on HOME in PLACE NZ's SharePoint intranet once approved. Employees receive communications and, if necessary, training on new and reviewed policies and procedures.

HOME in PLACE NZ complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of HOME in PLACE Group Executive Services to maintain and update the HOME in PLACE NZ's Master Policy Document, Policy Directory and the Policy Review Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

HOME in PLACE NZ Workers should refer to SharePoint Company Documents Policy and Procedure site for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information.

6. Resources and Related Documents

Related documents

- Notice for antisocial behaviour
- POL-8012 NZ Complaints Handling Policy
- POL-8019 NZ Privacy Policy

Related legislation/standards

- [Residential Tenancies Act 1986](#)
- [Residential Tenancies Regulations](#)
- [Residential Tenancies Amendment Act 2020](#)
- [Human Rights Act 1993](#)
- [NZ Bill of Rights Act 1990](#)
- [Privacy Act 2020](#)
- [Public and Community Housing Management Act 1992](#)
- [Public and Community Housing Management \(Community Housing Provider\) Regulation 2014](#)
- Community Housing Regulatory Performance Standards and Guidelines

7. Definitions

Please refer to HOME in PLACE NZ Glossary of Definitions for Policies and Procedures. Terms and definitions identified below are specific to this procedure and are critical to its effectiveness:

Term	Definition
Appeals	An appeal is defined as ‘any expression of dissatisfaction with a decision made by a social housing provider to provide or not provide a service (such as housing, transfer or priority on the housing register) or, a decision relating to a tenant or service user’s dissatisfaction of a decision made by the organisation. An application for a decision to be reversed or overturned. Includes but is not limited to: • Allocation decisions; • Level of rent or rent subsidy; • Eligibility for a housing transfer; • Permission to undertake modifications; • Permission to keep pets; • Calculation of water charges;
Complainant	Person with a Complaint ongoing with HOME in PLACE.
Complaints	An expression of dissatisfaction with an aspect of the services provided by HOME in PLACE NZ, where the complainant is unhappy with the standard or type of service. Types of Complaint include: <ul style="list-style-type: none"> • Where HOME in PLACE NZ have failed to provide or there has been a delay or problem in providing a service; • Where HOME in PLACE NZ have failed to follow or have been unfair or inconsistent in applying our policies or procedures. • Where HOME in PLACE NZ have failed to keep Tenants informed, through lack of or insufficient information • Where there has been inappropriate behaviour or attitude from a HOME in PLACE NZ worker or independent contractor.
Director	Has the same meaning as defined in the Companies Act 1993 Part 1 Section 2 Interpretation .
Employee	A person engaged under an employment agreement or award by any company in the HOME in PLACE Group.

Term	Definition
Executive Manager	Many positions within HOME in PLACE include the title “Executive Manager”. Regardless of whether an Executive Manager heads a Business Unit, the delegated authority of each Executive Manager depends on the functions and reporting relationship of the Business Unit for which the Executive Manager is responsible. Executive Managers should refer to the document HOME in PLACE Organisational Chart in Terms of Levels of Delegated Authority for confirmation of the band of authority they hold.
HOME in PLACE (New Zealand)	HOME IN PLACE (NEW ZEALAND) LIMITED (formerly Compass Housing Services (NZ) Co Ltd) is registered in New Zealand under the Companies Act and as a charity registered with Charities NZ under the Charities Act
HOME in PLACE Group	The corporate structure that includes HOME in PLACE (as the Parent Company) and the boards of Subsidiary Companies, Governance Committees and advisory groups as created from time to time.
Independent contractor	means a party engaged directly by HOME in PLACE pursuant to a contract for services. In the context of workforce engagements, this includes sole traders, companies, or partnerships with whom HOME in PLACE enters into an agreement for the provision of specified individuals to supply specific skills, services, or consultancy arrangements. It does not include individuals engaged through labour hire agencies. Independent contractors are not employees of HOME in PLACE.
Officer	Has the same meaning as defined in the Companies Act 1993 Part 1 Section 2 Interpretation in New Zealand
Parent Board	The current directors of HOME in PLACE.
Parent Company	HOME in PLACE
Stakeholder	person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity, may also be called ‘interested party’.
Subsidiary Boards	The appointed board of directors of a Subsidiary Company.
Subsidiary Company	A company in which HOME in PLACE owns all or at least a majority of the shares.
Tenancy	Occupancy of a property by a tenant and the duration of that occupancy.
Tenant	The person who has the right to occupy residential premises under a Residential Tenancy Agreement.
User	any person or entity that use HOME in PLACE Information or ICT Assets.
Worker (New Zealand)	HOME in PLACE NZ have adopted the New Zealand Health and Safety Act (2015) Section 19’s definition of a ‘worker’ where the term is used in policy. The definition of a ‘worker’ includes an individual who carries out work in any capacity for a PCBU, including work as : <ul style="list-style-type: none"> • an employee; or • a contractor or subcontractor; or • an employee of a contractor or subcontractor; or • an employee of a labour hire company who has been assigned to work in the business or undertaking; or an outworker (including a homeworker); or • an apprentice or a trainee; or • a person gaining work experience or undertaking a work trial; or • a volunteer worker; or a person of a prescribed class.