

# 000 Antisocial Behaviour Policy

## 1. Customer Statement

At Link Wentworth our customers and communities are at the centre of what we do. We are committed to:

- treating our customers with compassion and respect
- communicating clearly so that our customers can make informed decisions
- providing fair service by following the right process
- working openly with customers to find shared solutions
- following all relevant laws and regulations.

## 2. Purpose

This policy defines Link Wentworth's approach to responding to antisocial behaviour by tenants, approved household occupants of Link Wentworth and their visitors.

## 3. Scope

This policy applies to all Link Wentworth tenants, approved household occupants and their visitors.

## 4. Policy

### Definition of anti-social behaviour

Antisocial behaviour is behaviour that disturbs the peace, comfort or privacy of other tenants, neighbours or the surrounding community which results in a breach of the tenancy agreement or the provisions of the *Residential Tenancies Act, 2010* (the Act).

### What is antisocial behaviour

There is a wide range of anti-social behaviours and the following list provides some examples:

- Excessive and frequent noise
- Loud and disruptive behaviour
- Verbal abuse and domestic disputes
- Vandalism
- Dumping rubbish
- Nuisance pets such as barking or aggressive dogs
- Any illegal activity
- Serious harassment
- Threats to the health or safety of a person
- Physical assaults and violent acts.

## How we manage antisocial behaviour

Link Wentworth is committed to sustaining tenancies and working in partnership with government and other non-government organisations to support tenants, including when there is antisocial behaviour.

We investigate reports of antisocial behaviour, collect evidence, and apply the rules of natural justice so those involved are given the opportunity to provide information on their view of events. We provide feedback to relevant parties on the outcomes of the investigation while also protecting your privacy.

We work with tenants to resolve neighbourhood problems and, where required, encourage mediation through the Community Justice Centres. We encourage you to contact your local council to report unresolved issues of barking or aggressive dogs, rubbish dumping on nature strips and excessive and frequent noise.

We investigate allegations of antisocial behaviour and, where appropriate, facilitate early intervention and referral to support services to minimise escalation of antisocial behaviour and the need to resolve cases through the [NSW Civil and Administrative Tribunal](#) (NCAT).

If the anti-social behaviour involves criminal activity, we seek clarification from the NSW Police through a Record of Understanding and may take appropriate action against a tenant if a breach of the Residential Tenancies Act 2010 is confirmed. Link Wentworth cooperates with NSW Police in investigating allegations of illegal activity.

We support tenants and families by addressing antisocial behaviour that places them at risk. We seek to refer tenants to support services when required as well as when a breach of the tenancy agreement or the Act has occurred.

We exercise discretion and in particular consider the safety of victims of antisocial behaviour when making decisions on the action to be taken for substantiated incidents. When a substantiated breach of the tenancy agreement or the Act has occurred and it relates to antisocial behaviour and it is appropriate to take formal action, Link Wentworth may apply directly to the NCAT to seek termination of the tenancy.

## Banning Notices

We may, on the advice of NSW Police, issue a Banning Notice under the NSW Inclosed Lands Protection Act, 1901 which prescribes rules and penalties for trespassing on certain lands. A Banning Notice limits the right of a person to access a Link Wentworth property and can be issued to tenants or their visitors. If a person is issued with a Banning Notice and they then return to the property, they can be removed by Police and/or be issued with a fine. Banning Notices are issued to individuals who have caused serious ongoing nuisance or disturbance that impacts the peace and quiet enjoyment of our tenants.

## 5. Responsibility

**Housing Managers/Client Service Officers** are responsible for performing their duties in accordance with this policy and related procedures.

**Team Leaders and Managers** are responsible for proactively overseeing compliance with this policy and addressing any non-compliance by their direct reports in a timely manner

**Senior and Executive Leaders** are responsible for ensuring the policy addresses its purpose, is able to be implemented, and is kept current and approved by the ultimate approving body in accordance with the required review cycle.

## 6. Definitions

**Record of Understanding** – a document used to facilitate the exchange of specific information for the purpose of reducing crime and anti-social behaviour.

**NSW Civil & Administrative Tribunal (NCAT)** – is the main forum for resolving tenancy disputes between landlords and tenants in NSW. It is an independent body. It is not a formal court, but its decisions are legally binding.

## 7. Legislative or other applicable framework

- Inclosed Lands Protection Act (1901)
- Residential Tenancies Act (2010)
- Residential Tenancies Regulation (2010)
- Smoke-free Environment Act (2000)

### Complaints and appeals

A tenant who is not happy with a decision made by Link Wentworth or who believes that Link Wentworth has not followed this policy can complain or appeal using the complaints and appeals policies available on the Link Wentworth website [www.linkwentworth.org.au](http://www.linkwentworth.org.au).

Tenants cannot appeal to Link Wentworth on matters where an application has been made by Link Wentworth to the NCAT. Those matters are managed through NCAT.

## 8. Privacy and Confidentiality

Link Wentworth has obligations and responsibilities under its Privacy Policy. Before releasing any information relating to the subject matter of this Policy, first refer to the Link Wentworth Privacy Policy and/or seek guidance from a member of the Executive Leadership Team or Head of Legal.



## Approval, Policy Owner and Review Frequency

Policy type: Management Level  
Executive Leadership Team owner: Chief Customer Officer  
Business owner: Head of Tenancy  
Ultimate Approval body: Executive Leadership Team owner  
Review Frequency: Annual or more frequently if circumstances warrant.

  
Approved by – Chief Customer Officer