



# Anti-Social Behaviour Policy



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## 1.0 Introduction

- 1.1 We understand that anti-social behaviour (ASB) can have a detrimental impact on the health and wellbeing of tenants and can have a significant impact on communities. Our role as a Registered Provider (RP) of social housing includes a regulatory requirement to publish our Anti-Social Behaviour (ASB) Policy and have effective processes for preventing, managing and resolving ASB and hate incidents

## 2.0 Purpose

- 2.1 The purpose of this policy is to ensure that our employees, contractors, and tenants understand our approach to preventing and managing ASB and hate incidents. The policy sets out the rights and responsibilities of tenants, our role as a registered provider and how we will work alongside the police, local authorities, and other agencies to resolve ASB and hate incidents.

## 3.0 Principles

- 3.1 This policy sets out our approach to making our communities safe places to live by the timely and effective responses to incidents of ASB. This policy is underpinned by the following principles:
  - o We will engage with our tenants and partners with trust, respect, empathy, and honesty and will work in partnership to prevent and resolve ASB and hate incidents.
  - o We will investigate all cases individually with the aim of reducing the risk of harm to individuals and the community taking prompt and decisive action which is reasonable and proportionate.
  - o We will use all available tools and powers to tackle ASB and hate incidents, including those legal powers available to our partners, to ensure that the risk of harm posed to individuals and communities is effectively managed.

## 4.0 Definitions

4.1 The key terms used in this policy are defined below.

<b>Complainant</b>	A tenant or person who is experiencing ASB or hate and makes a complaint for our investigation.
<b>Subject</b>	An individual alleged to have been responsible for anti-social behaviour or hate incident.
<b>Anti-Social Behaviour (ASB)</b>	<p>To enable our role in supporting sustainable places, this policy framework includes conduct by individuals or groups that has caused, or is likely to cause, disturbance to an occupier's enjoyment of their home, garden, or community. Under legislation, ASB is defined as follows:</p> <ul style="list-style-type: none"><li>• Conduct causing or likely to cause nuisance or annoyance to a person residing, visiting, or otherwise engaged in lawful activity in the locality (Housing act 1996)</li><li>• Conduct capable of causing housing- related nuisance or annoyance where directly or in-directly affects the housing management function (ASB, Crime and Policing Act 2014)</li></ul> <p><b>Some examples of ASB are:</b></p> <ul style="list-style-type: none"><li>• Alcohol or drug misuse</li><li>• Behaviour which is aggressive, threatening or causes intimidation or harassment</li><li>• Criminal activity affecting a community.</li><li>• Dangerous parking, abandoned vehicles</li><li>• Excessive or persistent noise</li><li>• Hate Crime and Hate Incidents (defined below)</li><li>• Misuse of communal spaces</li><li>• Nuisance vehicles</li><li>• Threats or physical violence</li><li>• Uncontrolled animals, dog fouling</li><li>• Vandalism, graffiti or fly-tipping</li><li>• Vehicle nuisance including off-road motorcycles</li><li>• Verbal abuse</li></ul>

<p><b>Anti-Social Behaviour (ASB)</b></p>	<p><b>ASB is not:</b></p> <ul style="list-style-type: none"> <li>• Children playing at home or the street</li> <li>• Children arguing or crying</li> <li>• Riding bicycles or skateboards</li> <li>• Events in the home such as; flushing toilets, cooking smells, smoking in own home, washing machines, babies crying or playing, reasonable DIY</li> <li>• Staring or looking at someone</li> <li>• Car parking issues which are not dangerous</li> <li>• Pets straying across garden areas or dogs barking now and again</li> <li>• Noise from a one-off party or BBQ</li> </ul>
<p><b>Environmental ASB</b></p>	<p>Environmental ASB deals with the interface between people and places. It includes incidents where individuals and groups have an impact on their surroundings including the natural, built and social environments. This category is about encouraging reasonable behaviour whilst managing and protecting the various environments so that people can enjoy their own private spaces as well as shared or public spaces.</p> <p>Examples of Environmental ASB include graffiti, garden condition, criminal damage to assets such as garages and walls, damage to open spaces caused vehicle nuisance including off-road motorcycles, fly tipping, fly grazing, parking on grassed areas and footpaths and dog fouling.</p>
<p><b>Good Neighbour Management (GNM)</b></p>	<p>include (for example) everyday living noise nuisance or children playing which, while not necessarily classified as ASB, do cause tensions between neighbours and have the potential to escalate.</p> <p>These incidents will be managed in an informal way designed to enable mutual understanding and promote positive neighbour relationships. Good Neighbour Management can be escalated to formal ASB at any time should behaviour continue or the risk of harm increase.</p>

<p><b>Hate Crime and Hate Incidents</b></p>	<p>“Any criminal offence which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a person’s race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by a hostility or prejudice against a person who is transgender or perceived to be transgender.”</p> <p>The Crime Prosecution Service 2017</p> <p>A Hate Incident is one in which the criminal burden of proof is not met but which nevertheless is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic.</p>
<p><b>Nuisance ASB</b></p>	<p>Nuisance ASB captures those incidents where an act, condition or person causes nuisance, annoyance, inconvenience, offence or suffering to the local community in general and also to individual victims. It includes incidents where behaviour goes beyond the conventional bounds of acceptability and interferes with public interests including health, safety and quality of life. Examples of Nuisance ASB include noise nuisance caused by loud music, noise nuisance caused by animals, disturbances caused by parties and gatherings, vehicle nuisance including off-road motorcycles and nuisance caused the misuse or communal spaces.</p>
<p><b>Personal ASB</b></p>	<p>Personal ASB are incidents that the complainant or anyone else perceives as either deliberately targeted at an individual or group or having an impact on an individual or group rather than the community at large. It includes incidents that cause concern, stress, disquiet and/or irritation through to incidents which have a serious adverse impact on people’s quality of life. Examples of Personal ASB include drug dealing and drug use, cuckooing, verbal and written abuse and threats, all forms of harassment and intimidation, abusive behaviour, incidents of violence and criminal activity.</p>

## 5.0 Scope

- 5.1 This policy applies to all employees, contractors, residents of our homes and tenants.
- 5.2 This policy also covers ASB and hate incidents caused by non-Livin households involving Livin tenants, which will be managed through partnership working with the responsible body, usually local authorities, the Police, other landlords and community partners.

## 6.0 Contribution to Plan A

- 6.1 Our Plan A 2022-25 business strategy is viewed through the prism of place with six complementary, joined-up delivery strategies focussing sustainable delivery actions within our communities and places.
- 6.2 This policy contributes to the delivery of the Objective 14 (the delivery of projects that maximise social capital in places, making them sustainable, connected and inclusive) and Objective 17 (Provide tailored interventions to sustain tenancies, improve health and wellbeing and maintain independence).
- 6.3 It does so by supporting the delivery of physical and community regeneration projects, both directly ourselves and through facilitation and cooperation with our strategic partners and community organisations within neighbourhoods. This ensures that we contribute to tackling issues in our neighbourhoods through strengthening linkages between neighbourhoods and partner agencies, so that services are appropriately and effectively targeted to those in need. This includes through supporting partner agencies (Local Authority, Police, Fire Service, etc) in delivering services within our neighbourhoods, including services relating to personalised interventions to tenants and supporting strategic partner priorities (e.g. local housing strategies, community safety partnerships).

## 7.0 Legislative and regulatory framework

- 7.1 The Neighbourhood and Community Standard sets out regulatory requirements to which social housing providers must adhere and states that landlords must work in partnership with other agencies to prevent and tackle anti-social behaviour and hate incidents in the neighbourhoods where they own homes. Specific to anti-social behaviour, the regulatory standard requires registered providers to:
  - o Registered providers must work in partnership with appropriate local authority departments, the police, and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents in the neighbourhoods where they provide social housing.

- 7.2 The Standard seeks to create safer neighbourhoods through registered providers working in partnership with appropriate local authority departments, the police, and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents.
- 7.3 The standard specifically requires registered providers to work with tenants, other landlords and relevant organisations to take all reasonable steps to ensure safety of shared spaces. Registered providers must Cooperate with relevant partners in areas where they provide social housing to promote social, environmental and economic wellbeing. Registered providers must also work cooperatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.
- 7.4 These specific required outcomes are supported via the local co-operation arrangements set out within this policy and in addition we have an explicit policy framework which sets out the approach to working in partnership to deliver improved neighbourhood wellbeing (Neighbourhood and Community Policy) and tackling Domestic Abuse.

## 8.0 Policy statements

- 8.1 When we receive a report of ASB or hate incident we will utilise a case management approach, recording all actions within the case, based upon an individual risk assessment for all identified complainants to measure the impact of the behaviour and risk of harm. The risk assessment will be used to prioritise our actions in partnership with the complaint(s).
- 8.2 We will respond to ASB complaints within the following service standards:
- o Personal ASB – 1 working day
  - o Nuisance ASB – 2 working days
  - o Environmental ASB – 10 working days

A case will only be classified as Good Neighbour Management once an individual risk assessment has been completed with the complainant to understand the impact of behaviour on them and they subsequently understand and agree to this classification.

- 8.3 We will agree an achievable action plan for each individual case with the complainant reflective of the severity of the incident and its impact to ensure actions are tailored to the needs of individuals.



- 8.4 We will agree a communication plan for each individual case with the complainant tailored to the needs of individuals to ensure that complainants are kept informed of the progress of their complaint.
- 8.5 We will understand the complainant's expectations at the outset and be honest as to what can be realistically achieved. We will always try to support and encourage complainants to try and resolve issues calmly with their neighbours in the first instance if they feel safe to do so.
- 8.6 We will maintain confidentiality for both complainants, witnesses, and subjects, wherever possible within the applicable legal framework. We will store information securely in line with our Data Protection Policy. We will store information securely in line with our Confidentiality, Privacy and Data Protection Policy. We may share personal information with other organisations where there is a legitimate business reason, as required by law, other legal processes or you give consent; In doing so, we will comply with the terms of our Privacy Notice. When processing special category data or criminal offence data we will also comply with the terms of our Appropriate Policy Document.
- 8.7 We recognise that some subjects may be vulnerable and may require support to sustain their tenancy and minimise the risk of losing their home. We will provide appropriate support and referrals for support to external agencies for these individuals.
- 8.8 We will work alongside a range of appropriate partners to provide effective and tailored support for complainants and witnesses of anti-social behaviour and hate incidents where they feel this is required.
- 8.9 As a landlord, we will use a range enforcement tools available to address instances of ASB and hate incidents. Where necessary, this will include utilising legal powers to enforce the tenancy agreement. We will work collaboratively with statutory and non-statutory partners to tackle ASB related issues. e.g.:
- o Early and informal interventions (discussions, non- formal reminders on conduct expected and impact behaviour could have etc)
  - o Evidence gathering (diary sheets, utilisation of noise monitoring equipment)
  - o Mediation
  - o Good neighbour agreements
  - o Formal warnings

- o Acceptable Behaviour Agreements (including Pet Agreements)
- o Civil injunctions – With or without notice
- o Possession Proceedings
- o Evictions
- o We will work closely with police and Local Authority partners who can apply the following enforcement tools:
- o Closure of premises orders
- o Noise abatement notices
- o Public Spaces prevention orders
- o Restorative justice
- o Dispersal orders
- o Criminal behaviour orders
- o Criminal proceedings (from caution to imprisonment)

Where we do not hold powers, we will have regard for tenant understanding of differing Legal powers and the roles and responsibilities of our partners in using them. We will appropriately signpost / refer to the right service that meets the tenants needs.

- 8.10 We will always seek to inform the complainant verbally (where possible but in writing where this is not possible) when we close their case, and we will explain the reasons for closure.
- 8.11 We will promote the availability of Anti-Social Behaviour Reviews to our tenants and communities, and we will engage positively and constructively with such reviews when led by the police, local authority or relevant Police and Crime Commissioner.
- 8.12 We will publish performance data related to our management of anti-social behaviour and hate incidents to enable tenants and community stakeholders to understand our action and hold us to account.
- 8.13 We will train our employees to ensure that they are able to support victims, witnesses and subjects of ASB and hate incidents and hate crime) and are effectively able to deploy the tools and powers at our disposal, including working collaboratively with other statutory agencies and relevant partners.

## Hate Incidents and Crime

- 8.15 We value the diversity of our tenants and communities and believe that all tenants, their families, and visitors to their home have a right to live without fear of abuse, intimidation, harassment, humiliation or attack, irrespective of gender, age, disability, race, religion, sexual orientation, gender identity or appearance.
- 8.16 We recognise hate incidents and crime can have a serious and devastating impact on an individual's sense of security, health and wellbeing but also impacts on the wider neighbourhood and community cohesion and integration. We condemn all forms of hate incidents and crime and will treat all incidents reported to us personal ASB, as per the service standards set out within this policy.
- 8.17 We will utilise a case management and risk assessment approach to all reports of Hate Crime and Hate Incidents to ensure a harm-centred approach to the victim and we will work in partnership with the police and other relevant partners where it is appropriate.

## Prevention

- 8.18 We use the following tools to prevent ASB:
- o The use of starter tenancies to work closely with our new tenants in the first year of their tenancy
  - o Ensuring new tenants understand their rights and responsibilities when they move into our homes
  - o Local lettings plans
  - o Analysis of transactional data to identify any emerging trends related to ASB and implementing appropriate interventions
  - o Improving the design of our estates, and the use of our green spaces
  - o Investing in provision of community capacity to deliver youth activities, school holiday programmes, the provision of life skills training for parents and carers
  - o Working closely with a range of statutory and local community partners to address issues of neighbourhood safety together

## Complaints

8.19 Customers are able provide feedback about the services they have received in respect of this policy. If a customer is dissatisfied with the service they have received from us, they can make a complaint to us in line with our Complaints, Compliments and Feedback Policy.

Specifically, we define a customer complaint as:

**“Any expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own employees, or those acting on its behalf, affecting an individual resident or groups of residents.”**

## Communication

8.15 We are committed to the provision of seamless, responsive and convenient services and as such are a digital first organisation. We encourage and support our tenants to engage with us via the most efficient and effective method, suitable to their needs, and will assist tenants or their advocates to engage with us digitally. Digital copies of this policy and related guidance are available on our website and hard copies are available to any tenants who may not be able to access services digitally, on request.

## 9.0 Roles and responsibilities

9.1 Roles and responsibilities under this policy are outlined below.

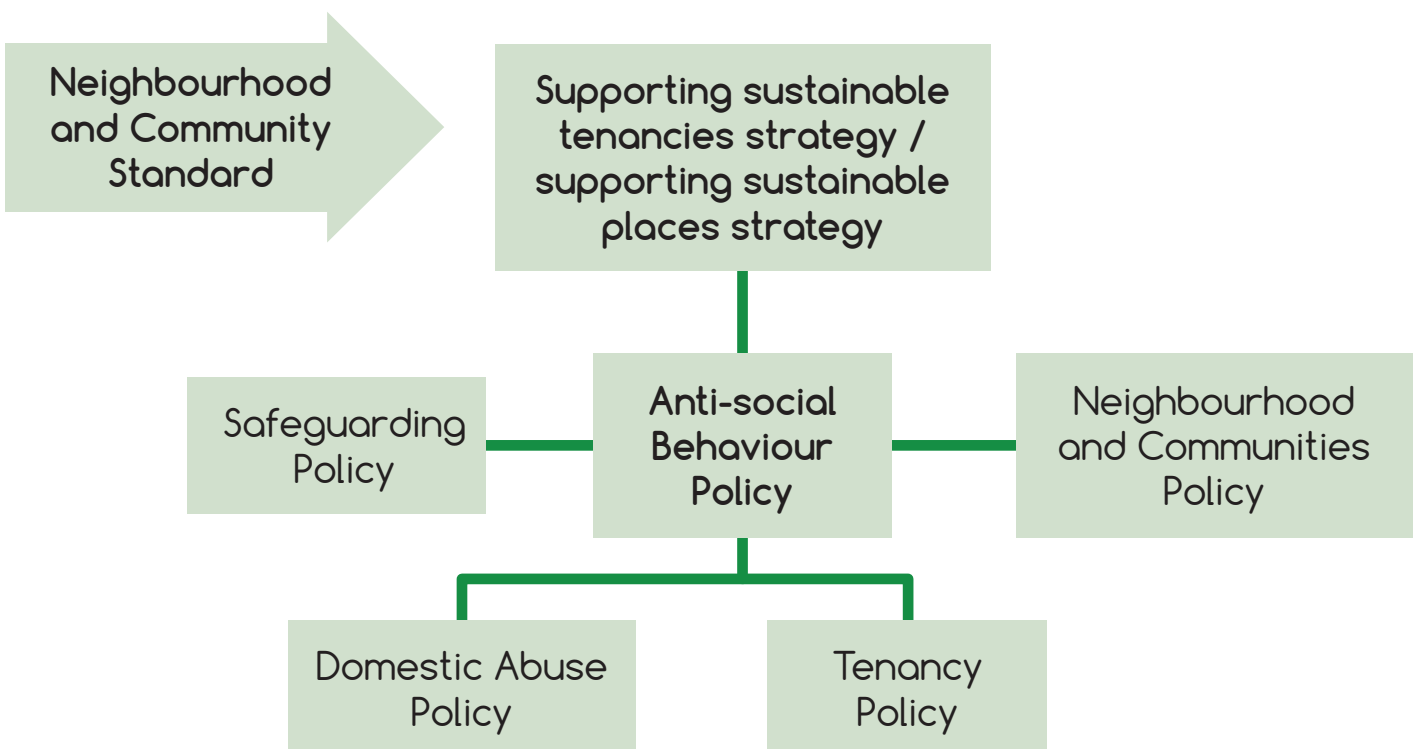
<b>Housing and Communities Committee</b>	The Housing and Communities Committee (H&CC) has overall governance responsibility for this policy. H&CC will formally approve this policy, assure itself that the policy is effectively delivered and review it at least every three years, or earlier if there is a relevant change in legislation or regulation.
<b>Director of Housing and Communities</b>	The Director of Housing and Communities has strategic responsibility for the housing management services which deliver this policy. They will oversee the implementation of this policy.

<p><b>Head of Housing</b></p>	<p>The Head of Housing is responsible for joining up the strategic and operational actions to monitor compliance and ensure effective delivery of the policy.</p>
<p><b>Strategic Housing Manager</b>  <b>Housing Manager</b>  <b>Community Regeneration Manager</b>  <b>Corporate Health and Safety Manager</b>  <b>Customer Experience Manager</b></p>	<p>Responsible for the day-to-day delivery, management, and monitoring of the policy across the departmental procedural framework.</p> <p>Responsible for the performance management framework associated with the various aspects of the policy to demonstrate the positive impact on place and sustainability.</p>

9.2 This policy will be communicated to our employees via our intranet, our contractors as part of induction and annual refresher training and to our tenants via our website and through their tenancy induction.

## 10.0 Related policies and procedures

10.1 This policy should be read in conjunction with the following documents:



## 11.0 Monitoring and review arrangements

- 11.1 We report on key performance measures in relation to our work in neighbourhoods and communities, through our performance management framework. This includes monitoring and assurance reporting at operational, departmental and organisational (to Executive and Board) level. Tenants can find out how we are performing at an organisational level via the website and the Annual Report to Tenants. This includes reporting of Tenant Satisfaction Measures (as required by the Tenant Involvement and Empowerment Standard).
- 11.2 This policy will be communicated to employees and training will be provided to ensure understanding of the policy requirements. Employees will be supported in delivery of the policy within an appropriate procedural framework that provides management oversight and assurance that actions undertaken are delivered within this procedural framework.
- 11.3 This policy will be reviewed every three years, unless there is significant development that would require a more urgent review e.g. new legislation or regulation.