

Anti-Social Behaviour

Policy

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Responsible Executive:	Director of Customer Services		
Ratifying Authority:	ET	Date ratified:	18 July, 2018
Date of previous review:	February 2014	Date of next review:	
Details of Consultation Internal and External:			
Equality Impact Assessment:	YES	Date conducted: 31 July, 2018	Conducted by: Mojisola Oladipupo
	Results: No negative impact. Monitor via regular meetings with the front line staff (121, yearly appraisals), monitoring of the anti-social behaviour log, satisfaction surveys to customers before closing case and cold calls		
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Related Policies	<ul style="list-style-type: none"> • Equality, Diversity and Inclusion • Bullying and Harassment • Domestic Violence • Lone Working • CCTV • Safeguarding for Children and Young Adults • Safeguarding and Protection of Adults at Risk • Complaints • Tenancy Policy • Tenancy Agreement 		
Appendices	<ul style="list-style-type: none"> • 		

1. Introduction and rationale to policy

Housing for Women (HfW) recognises that anti-social behaviour (ASB) can have a significant impact on the lives of residents. This policy is designed to provide a clear and effective commitment to tackling anti-social behaviour so that staff, residents and partners understand our approach to this issue. HfW believes that tackling the causes of anti-social behaviour is key to creating sustainable communities. We will ensure that our customers are made aware of their responsibilities and the support available to them; staff are equipped to deal with cases and that we work in partnership with other agencies to deliver a joined-up and consistent approach.

2. Policy Statement (including Scope and Aims)

2.1 Scope

This policy applies when we receive reports from or about the following tenure/s: Assured, Secure, Assured Shorthold, supported housing, licenses, leaseholders, shared ownership, intermediate market rent, private market rent and commercial premises. For owners, leaseholders and shared owners one of our partners (e.g. Police or Local Authority) will be responsible for leading any action required.

The policy applies to all employees as well as those employed by and providing services to HfW. This includes temporary agency workers, contractors and consultants. It also covers situations where these workers experience anti-social behaviour while carrying out their duties.

The policy provides that:

- We will respond to reports of anti-social behaviour (ASB) from whatever source if it is alleged that our residents, members of their household, or visitors are perpetrators of ASB at and around our properties;
- We are committed to finding ways of acting with and on behalf of our residents who experience ASB caused by people who are not our residents; and
- We will provide a range of measures designed to prevent ASB.

2.2 Policy Statement

This policy and the associated procedure sets out our approach to tackling ASB, through prevention, enforcement and support. Its' purpose is to prevent and minimise the amount of ASB that our residents and service users suffer as this impacts adversely on our communities.

This policy sets out what we expect from our residents and service users and what they can expect from us to protect their right to peaceful enjoyment of their home and their community.

HfW accepts that:

- Everyone has the right to their chosen lifestyle provided this does not have a negative impact on the quality of life of others or lead to damage to property. This implies tolerance, consideration and respect for the requirements and needs of others;
- HfW has a role as landlord in ensuring that such rights and obligations are realised in individual cases; and
- The Local Authority and Police Authority have a larger role within the arena of the public interest to promote and protect the interests of those living within their boundaries. HfW will make it absolutely clear to our residents, service users, and any person who is seeking or

entering into a tenancy or lease, that ASB is unacceptable and if it arises it may lead to action being taken against them.

2.3 Policy Aims

To ensure that the relevant employees of HfW are trained and equipped to respond swiftly and effectively to reports of ASB and prevent reports escalating into more serious incidents.

- To raise awareness amongst residents, staff and other relevant stakeholders of the tools and powers available (as well as constraints), to tackle ASB.
- To minimise the amount of ASB that our residents experience through preventative action, rehabilitation of perpetrators and community cohesion activities including diversionary activities for young people.
- To develop and maintain effective partnerships with local and national agencies with whom we can collaborate in tackling ASB.

3. Location of this policy

[Anti-Social Behaviour Policy July 2018.pdf](#)

4. Definitions

4.1 Anti-Social Behaviour

This policy and associated procedure is designed to deal with ASB that directly affects the housing management functions of HfW, as a 'relevant landlord', and as defined by and incorporated into Sections 153A and 153B of the Housing Act 1996 by Section 12 of the ASB Act 2003:

“Conduct which is capable of causing nuisance or annoyance to any person and directly or indirectly relates to or affects the housing management functions* of a relevant landlord”; or “Conduct which consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose”.

There is no one definition of anti-social behaviour. Anti-social behaviour can be anything from low-level, persistent nuisance to serious violent behaviour. It includes all behaviour that impacts negatively on our customer's quality of life in and around their home.

The term 'anti-social behaviour' is used to describe actions that unreasonably interfere with, or could interfere with an occupier's normal use and enjoyment of their home, garden or neighbourhood. The definition extends to behaviour that can create a nuisance or annoyance for another person connected with the property, including HfW staff and contractors.

The following are the types of behaviour that we deem to be anti-social behaviour:

1) **Harassment**

HfW recognises that harassment may occur in a range of circumstances and may be linked to the protected characteristics identified in 4.5 below. Acts of harassment include (but are not limited to):

- Racist behaviour or language
- Hate crimes
- Actual or threatened violence
- Abusive or insulting words or behaviour

- Actual or threatened damage to another person's home or possessions
- Writing threatening, abusive or insulting graffiti
- Behaviour that interferes with the peace, comfort or convenience of others

2) Hate Crime

HfW defines Hate Crime as any crime or incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a persons' race, religion, sexual orientation, disability or gender identity. Hate crimes can include but are not limited to:

- Threatening behaviour
- Assault
- Robbery
- Damage to property
- Inciting others to commit hate crimes
- Harassment

3) Domestic Violence

HfW defines domestic violence as an actual or threatened act of harassment, assault or abuse (mental, physical or sexual) against any person living in the same premises. We recognise that domestic violence can occur in all sections of society and can impact upon children, family and the community.

Other anti-social behaviour includes (but is not limited to):

- Verbal or physical abuse
- People being drunk or rowdy in public places
- Nuisance neighbours or problem families
- People using or dealing drugs
- Vandalism, graffiti and other deliberate damage to property or vehicles
- Noisy neighbours or loud parties
- People being insulted, pestered or intimidated
- Abandoned or burnt out cars
- Inconsiderately parking or parking on gardens
- Persistent repairing of vehicles that causes a disturbance
- Nuisance caused by pets
- Leaving rubbish or litter lying around

4.2 ASB or not ASB?

HfW accepts that many neighbours will naturally have different values or opinions and sometimes this can cause problems. We expect our residents to show consideration to their neighbours as well as an understanding that we all have a right to live our lives.

Not all reports relating to behaviour that impacts on an individual can be deemed anti-social behaviour. It is important to show tolerance and be respectful of differing lifestyles and circumstances.

The following are some examples of reports that are not included in this policy's definition of anti-social behaviour:

- Noise from children when they're playing
- Family disputes

- Babies crying
- Smells from cooking
- Sounds of normal day to day living that we can hear such as opening and closing of doors, going up and down stairs
- One-off parties such as BBQs, birthday or Christmas parties as long as they don't cause an unacceptable disturbance
- Clashes of lifestyle, including cultural differences
- Minor personal differences such as dirty looks or fall outs between children
- Putting rubbish out on the wrong day
- Parking in the wrong bay

We will work to manage resident's expectations in regards to behaviour that is not defined as anti-social behaviour and offer advice and guidance and where appropriate will expect them to take steps to resolve the situation themselves.

5. Policy

5.1 Resident's Responsibilities

We expect our residents not to commit, or allow their family, household members, visitors or pets to commit acts of ASB. This includes harassment, noise nuisance, annoyance or disturbance, whether to other residents, their visitors or other people in the area, such as our staff and contractors.

In addition to the legal responsibilities set-out in their tenancy or lease agreement, we will expect all residents to:

- Take responsibility for minor personal disputes with their neighbours and to try to resolve any such problems themselves in a reasonable manner.
- Where appropriate, talk to their neighbour first to try to resolve any pet or noise-related problems.
- Report incidents of ASB.
- Report crimes, including threats or acts of violence, to the Police.
- Report noise nuisance to the Local Authority Environmental Health Department.
- Respect other peoples' right to their chosen lifestyle and be tolerant of everyday, reasonable level of disturbance; examples may include cooking smells, babies crying or religious practices.
- Work and cooperate with us fully to resolve disputes/issues, for example by providing us with updates of incidents, attending mediation, providing witness statements, attending court etc.

When a resident fails to engage with us during a case investigation and this impedes our ability to address the issues being raised, we may close the case.

5.2 Dealing with anti-social behaviour

We will work closely with a range of partners using prevention, early intervention, enforcement and support, thereby giving our customers confidence that anti-social behaviour will be tackled.

Our staff will be well trained and will be familiar with all preventative and intervention measures that are available. Where minor neighbour nuisance is occurring we do normally expect that a resident will initially seek to resolve the problem by speaking to their neighbour.

Our response to allegations of ASB will be proportionate. We will, where appropriate, seek the co-operation of statutory agencies in carrying out their duties to protect the public and will commit to working in partnership with residents and other agencies to ensure the following:

- Preventative action
- Early intervention
- Provision of support and advice for those reporting ASB and witnesses
- Provision of support for perpetrators where appropriate (for example where they are vulnerable or at risk)
- Where appropriate and there is sufficient evidence - legal action against perpetrators (whether by us or another agency) and/or recharge

Except in very serious cases, our initial intervention will aim to stop the problem behaviour, prevent re-occurrence and achieve effective and long-lasting solutions.

We aim to provide a balanced approach to ASB between protecting the quiet enjoyment of the community and helping individuals to sustain their tenancies.

We believe that in many incidences, ASB can be stopped when challenged early enough. Wherever possible, we will use early non-legal remedy intervention measures.

Where non-legal remedy is unsuccessful in resolving the ASB, we will consider taking legal action in order to do so.

We will only consider eviction as a last resort either where other action has been unsuccessful or where the anti-social behaviour is of a very serious nature.

Where the behaviour is of a criminal nature, it is likely that the Police will be the lead agency in the investigation. In these cases, we will support and work with them and our own actions will be guided by their findings and outcome.

In instances where the behaviour is noise or pet-related, it is likely that the Local Authority will be the lead agency in the investigation. We will support and work with them and our own actions will be guided by their findings and outcome.

5.3 Service Standards

HfW's service standards in relation to ASB are:

- Respond within our published timescales when you report ASB (1 working day for category A or 5 working days for category B). [Refer to Appendix 1 for guidance on categories and response times.]
- Agree an initial action plan with you.
- Agree a timescale with you for keeping you informed of the progress of your case.
- Contact you before we close the case.

We aim to deal quickly and effectively with all cases to resolve them at the earliest opportunity. We will record anonymous reports, but only take action if the ASB can be substantiated either by staff or where additional evidence can be gained.

All parties in an ASB case will be treated fairly and listened to on an equal basis. Counter allegations will be treated as separate cases and action will be taken based on the evidence available.

5.4 Support

We aim to create sustainable communities and an environment where victims and witnesses feel confident and safe in coming forward to report ASB. We will provide support to the person making the report and witnesses to ensure their own well-being and that action against perpetrators is as appropriate as possible. We will support complainants of ASB by:

- Dealing with their reports promptly;
- Managing their expectations and being realistic about what we can and can't do;
- Involving them in discussions about the action plan to resolve their issue;
- Communicating with them by their preferred method and frequency ;
- Carrying out risk assessments and referring them to appropriate support services where necessary;
- Signposting and referring to other agencies;
- Providing good, regular and up-to-date information on the progress of cases; and
- Offer assistance with re-housing, in high risk cases, where we are satisfied that it is reasonable and necessary to protect the individual and/or undertake repairs or alterations to the property for security purposes.

HfW recognises that we cannot always prevent people becoming repeat victims of anti-social behaviour; therefore, it is important that we ensure there is a suitable and appropriate support network around each individual to enable them to manage their situation until a satisfactory resolution is achieved.

We will offer support to perpetrators of ASB in order to assist them in resolving problems on a long term basis; we will support perpetrators by:

- Giving them a chance to resolve the problem by changing their behaviour
- Signpost and refer to other agencies who can offer support

In extreme cases where anyone involved is at clear risk of violence, we may proceed immediately to legal action, without offering any form of support to the perpetrator.

5.5 Partnership Working

HfW will adopt a multi-agency approach to tackling ASB to benefit from sharing of expertise, data and resources, including feeding back on the effectiveness of services and working towards solutions to specific area issues. We will work in partnership with statutory organisations, partnering agents, community groups, professional bodies and other stakeholders to support individuals who report ASB, witnesses and perpetrators and to manage behaviour. We will work in partnership at a strategic and operational level.

5.6 Protection of Staff

HfW acknowledges that all of our staff, agents or contractors are entitled to expect to work in an environment that is safe, secure and free from fear of violence, threats of violence or abuse. As such, any behaviour of this nature directed at HfW staff, agents or contractors is deemed to be

unacceptable and appropriate action will be taken against those responsible.

5.7 Regulatory Code

Homes England Neighbourhood and Community Standard for ASB require Registered Providers to work in partnership with other agencies to prevent and tackle ASB in the neighbourhoods where they own homes. This standard also requires that in their work to prevent and address ASB Registered Providers demonstrate:

- That tenants are made aware of their responsibilities and rights in relation to ASB:
- Strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies
- A strong focus exists on preventative measures tailored towards the needs of tenants and their families
- Prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available
- All tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation, and are appropriately signposted where it does not
- Provision of support to victims and witnesses.

5.8 Training

We are committed to ensuring staff have the confidence and knowledge to identify and investigate incidents and reports of ASB. All relevant staff will receive an induction into ASB and access to up-to-date ASB information and support and guidance.

5.9 Monitoring, Review & Evaluation

Monitoring of ASB cases will be done on a regular basis at a local level, at least monthly.

We monitor satisfaction levels and use resident's views to improve our ASB service.

We will provide regular summary reports to the Executive & Senior Management Team.

This policy will be reviewed at least every two years and updated to reflect any changes to corporate/customer requirements and targets; and updates to legislation.

5.10 Equality and Diversity

We are opposed to discrimination on any grounds including those identified as protected characteristics in the Equality Act 2010 -, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, or any other unjustifiable criteria.

We will provide support to our customers who have difficulty in managing their tenancy due to particular needs such as mental health problems, learning difficulties and other disabilities. Where necessary, HfW will engage with other service providers to ensure that additional support is given.

HfW will collect diversity information on all complaints of anti-social behaviour and this

information will be used to actively identify if any particular groups are more likely to suffer incidents of anti-social behaviour and action will be taken to remedy this.

6. Forms/Appendices

None

7. References

- Housing Act 1996
- ASB Act 2003
- Homes England Neighbourhood and Community Standard for ASB

8. Further information

- Head of Housing and Income Services, Melvina Powell, melvina.powell@h4w.co.uk, or Tel: 0207 501 6120.
- Interim Director of Customer Services, Hony Premlal, hony.premlal@h4w.co.uk, Tel: 020 8305 0309, 07483 017228

9. Review of this Policy

This policy will be reviewed every 2 years or more frequently if required to ensure that it complies with any changes in good practice, legislation or regulation.