

Policy	Anti-social behaviour policy
Date adopted	May 2021
Date of next review	May 2024
Version	1
Responsible board	Homes board
Responsible officer	Head of neighbourhoods

## 1. Introduction

- 1.1. This policy sets out the approach that is used to manage Anti-Social Behaviour (ASB) within the Housing Plus Group (HPG).
- 1.2. For the purposes of this policy, all persons who report ASB will be considered to be a customer.

## 2. Scope and purpose

- 2.1. The purpose of the policy is to promote a safe environment for people to live, visit and work.
- 2.2. The policy applies to all services within the group, the people who use those services and the staff working in them.

## 3. Definitions

- 3.1. ASB is defined as being any behaviour that has caused or is reasonably believed to be likely to cause a nuisance or annoyance to any person.
- 3.2. ASB covers a broad spectrum of behaviours from single incidences to repeated or persistent behaviours. The impacts of ASB may range from minimal short-lived inconvenience through to sustained or persistent annoyance or disadvantage for those affected.
- 3.3. ASB may be deliberate, malicious, unintentional or caused by health conditions. It can also be perpetrated at differing levels of severity:
  - a) Low level ASB has short lived impact and causes only minor annoyance to others.
  - b) Moderate ASB may be short lived or repeated but has a lasting impact on individuals, the environment or the community.
  - c) Serious ASB persists for a duration or beyond a level that is tolerable for neighbours, that has lasting impact or represents a real and present threat to the safety, health or well-being of third parties.
- 3.4. Judgements on whether behaviours are anti-social will be based on the impact on those affected by the behaviours.
- 3.5. The Group recognises that anti-social behaviour may be linked to health conditions or reactions to experiences and environments. In managing ASB, the group will consider causes and underlying factors as well as the behaviour itself and the impacts on others.
- 3.6. Tenants will be provided with information on behaviours that are likely to be considered as Antisocial. Examples are included as Appendix A – the list is not exhaustive and will be reviewed

periodically. Changes will be notified to tenants and customers through tenant publications and on the HPG Website.

## 4. Managing ASB

- 4.1. We will endeavour to prevent and avoid and manage situations that are likely to lead to ASB through effective management of our tenancies and environments and through effective engagement with our customers and community.
- 4.2. Our aim in managing ASB is to promote a safe place where people live, visit and work without fear and without harassment, annoyance or harmful disturbance from others.
- 4.3. ASB may be reported by anybody who witnesses or experiences such behaviour or others acting on their behalf.
- 4.4. We will always attempt to manage ASB in a way that achieves a resolution that is acceptable to those being affected by the ASB as quickly as can be achieved while using resources efficiently and effectively.
- 4.5. In managing ASB we will seek to minimise detriment to both those who are affected by the ASB and those whose behaviour is considered to be antisocial.
- 4.6. We will act in a way that is proportionate to the behaviour, the impact on others and the level of ongoing threat or danger to the environment or individuals.
- 4.7. We will treat all parties with respect and recognise their individuality, freedoms and choices.
- 4.8. Where behaviour is low-level and/or arises from a dispute between parties, we will try to achieve a mutually acceptable resolution between the parties.
- 4.9. Where ASB is either moderate or serious we will use such measures as are at our disposal to support individuals and communities including taking tenancy enforcement procedures and legal action.
- 4.10. We will work with other agencies including police, social services and mental health services to promote safety and good health for individuals and communities.
- 4.11. We will provide support to both the person who it is determined is responsible for the ASB and those impacted through mediation and conciliation.
- 4.12. We will use staff with specialist skills, knowledge and competencies to deal with moderate and serious ASB and will provide training to all staff to help them to recognise ASB and facilitate early appropriate interventions.
- 4.13. Through customer engagement we will monitor and review the effectiveness of our management of ASB and develop policies and procedures that enable people affected by ASB to have easy and timely access to support and advice.
- 4.14. Where ASB is perpetrated by parties who are not tenants, staff or contractors of HPG we will work with others who are in a position to influence the behaviours or the impacts of those behaviours including (but not restricted to) Local Authorities, police and other Landlords.
- 4.15. Records of all reports of ASB will be maintained in a single database to enable analysis of trends and early identification of potential risk areas along with all relevant case management information.

## 5. Prevention of ASB

- 5.1. We will ensure that customers are aware of their responsibilities in relation to ASB, harassment and intimidation at the point of entering into a tenancy agreement.
- 5.2. We will clearly set out what is considered ASB and what action will be taken against those who are perpetrators of such behaviour within our Tenancy Agreement.

- 5.3. Careful consideration will be given to accepting housing applications from those who have been proven to commit ASB, the details of which are defined in the lettings policy.
- 5.4. In accordance with agreed processes, new tenants will be monitored on a regular basis and any identified vulnerability will be highlighted and signposted for the appropriate support.
- 5.5. We will develop protocols and take an active role with our local authority and other partners to ensure that a multi-agency approach is adopted to support vulnerable customers where appropriate.
- 5.6. We will identify areas where particular types of ASB are a problem and develop initiatives to tackle these in consultation with customers and partners.

## **6. Wrongful reports of ASB**

- 6.1. The views of those reporting concerns of ASB will be taken seriously and considered fully to inform a decision about whether something is or is not considered as ASB by HPG. Where we do not agree that behaviour is anti-social, we will explain the reason for that decision. We will do this at the earliest possible stage to avoid raising expectations of action. We will also provide information about other help that is available including where appropriate, signposting them to other agencies and providing advice on mediation and support services. We will also explain how they can escalate concerns within HPG.
- 6.2. Should a customer continue to report matters that we have explained are not ASB, we will first have the case reviewed by a Head of Service/Operational Director and may consider taking action under the organisation's Unacceptable Actions and Behaviour Policy.

## **7. Support for those affected by or witness to ASB**

- 7.1. We believe that keeping customers and witnesses fully informed about the progress of their incident report is one of the most important principles for effective case management. We will work closely with the customer during the initial investigation stage to ensure that they are clear on our powers and their responsibilities. We will explain the processes and procedures and involve the customer, as far as possible, in helping to devise a case action plan. We will reduce the burden on the customer as far as we are able and will ensure that we are flexible about how we apply our processes and procedures based on the individual needs of each customer.
- 7.2. We will ensure that we contact the customer regularly to update them on their incident report or case, using a method and frequency that suits them.
- 7.3. We will also use a victim vulnerability matrix to assess the risk and impact on each customer and witness, (see Appendix B). This will be completed following our initial meeting with the customer and helps us to determine the level of priority we attach to the matter. The assessment will remain "live" and will be re-assessed if circumstances change e.g. the reported behaviour becomes more serious. Based on the assessments we will determine whether we can manage the needs of the customer internally or whether we need to make referrals to support agencies/partners that may be better placed to help the customer.
- 7.4. In addition to the above, we will offer any support to the customer that is appropriate, available, and wanted. This may include (but is not limited to) the following:
  - ◆ Making sure reporting channels are clear and accessible, e.g. online, by telephone, by email etc.
  - ◆ Arranging witness support meetings where several people are suffering, and peer support is believed useful.
  - ◆ Highlighting the customer/s address/es to officers/partners who work in the local area, for them to keep a look out or carry out reassurance visits.

- ♦ Where Court action is required, offering pre-Court visits and/or allowing the witness time to meet our legal representation and ask any questions/raise concerns.
  - ♦ If attendance at Court is required, provide transport, refreshments, reasonable financial assistance with childcare costs, supporting information to secure time off work where necessary, a separate waiting room, back door entrance and security measures (if available and appropriate to do so)
  - ♦ Following Court attendance, making sure that the witness/customer is fully informed of outcomes, timescales, and methods of reporting further issues
- 7.5. In certain circumstances, we may consider introducing protection provisions to the customer's home or moving the customer (temporarily or permanently) to another home. These options will only be considered in exceptional circumstances, where resource allows and with manager approval. Our primary objective is to resolve the issue in situ, bringing as little disruption to the customers as possible.

## 8. Support for Perpetrators

- 8.1. We adopt a victim centred approach to tackling ASB, however, we will seek to identify if the perpetrator has any underlying issues which contribute to the behaviour exhibited – this may include bereavement issues, substance misuse or mental health issues. We will address these issues as part of our case management to stop the harm caused to any victims and ensure tenancy sustainment.
- 8.2. We will ensure that our staff are equipped to identify any concerns which may relate to a perpetrator's vulnerability and have information of the support services that may be available to address these. If appropriate, we will work with both internal and external support services and external specialist agencies.
- 8.3. We adopt a twin track approach to dealing with perpetrators of ASB. This means that we will still consider appropriate enforcement action at the same time as trying to implement support for the perpetrator.
- 8.4. Should the perpetrator not engage with any support offered, we will continue to take any enforcement action we feel necessary to stop the harm that is being caused.

## 9. Hate Crime & Harassment

- 9.1. Reported ASB may relate to hate crime or harassment which is any criminal offence or incident committed against a person or property that is motivated by hostility towards someone based on a characteristic, such as their disability, race, religion, gender identity or sexual orientation and interferes with a person's comfort or safety. This can include verbal abuse, use of insulting words to cause intimidation, threats of violence, graffiti, and targeted damage to property.
- 9.2. Due to the criminal nature of these matters, the victim or witness will be encouraged to report the matter to the Police (if not already done). If the victim/witness is reluctant to do so, we will explain that we have a duty to report matters of a criminal nature.

## 10. ASB and its link to Domestic Abuse

- 10.1. Domestic Abuse refers to any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, psychological, physical, sexual, financial, and emotional abuse.
- 10.2. HPG will take a survivor-centred approach to supporting customers who experience or are affected by Domestic Abuse as separately set out in the HPG Domestic Abuse Policy.

## 11. Children and Vulnerable Adults

- 11.1. Where a report of ASB relates to the behaviour and/or anti-social activity of a young person or a vulnerable adult it is important that intervention is made at the earliest stage for preventative measures to be identified and to ensure that any decisions made in relation to our actions are fully informed.
- 11.2. Where a young person has been identified as causing nuisance problems and there are any concerns of issues relating to the home and family, a safeguarding referral will be made and consideration will be given to referrals to other relevant agencies.
- 11.3. Where an adult is believed to be vulnerable then referrals will be considered and if deemed appropriate made to the relevant agencies.
- 11.4. We will ensure that all our staff are fully appraised of the correct safeguarding processes in each area so that referrals can be made effectively without undue delays caused by administrative error.

## 12. Enforcement Action

- 12.1. Where non-legal actions have been attempted without resolution of the reported ASB, or where the behaviour is too serious to warrant non-legal attempts, we will instigate legal action utilising the full range of legal tools that we have available to us or with the assistance of our partner agencies.
- 12.2. These tools may include:
  - ♦ Action related to the tenancy agreement, such as extending a starter or probationary tenancy, applying for a demotion or suspended possession order, or seeking to evict the customer.
  - ♦ Seeking an injunction or undertaking.
  - ♦ Suspension of Right to Buy Entitlement.
  - ♦ Exclusion from Mutual Exchange.
  - ♦ Suspension or exclusion from Shropshire Home Point Register and SSHA and SARH Choice Based Lettings.
  - ♦ To restrict certain planned improvements to the home.
- 12.3. In all cases we will consider the involvement of external partner agencies where they may have more appropriate tools to deal with the issues raised, these may include:
  - ♦ Community Protection Notices
  - ♦ Closure Orders
  - ♦ Prosecution under environmental protection legislation
  - ♦ Tenancy actions from other Landlords (social or private)
- 12.4. Where another agency is leading on the ASB action, we will consider what support we may be able to offer, such as providing any information we hold.
- 12.5. Customers will also have access to the Community Trigger Process – a local, partnership process, arising from the ASB, Crime and Policing Act 2014, which will allow them to have their case reviewed. Details of accessing this process will be publicised appropriately, for example on our websites.

## 13. Working in Partnership

- 13.1. We will contribute to and cooperate with other agencies at both a strategic and operational level to prevent and manage ASB. We commit to sharing appropriate information with these agencies, in line with formal information sharing protocols and agreements, and cooperating to our fullest ability to ensure the best possible outcomes.
- 13.2. We adopt a partnership working approach on all cases where appropriate, engaging all enforcement and support agencies as required. Examples of these agencies include:
- ◆ The Police
  - ◆ Local Authority Environmental Health Teams
  - ◆ Other Registered Providers
  - ◆ Adult and Children Services
  - ◆ Social Services
  - ◆ Community Mental Health Teams
  - ◆ Domestic abuse support services
  - ◆ Probation/Youth Offending Service
  - ◆ Education
  - ◆ Victim Support, where appropriate
  - ◆ Any relevant voluntary and community sector organisations
- 13.3. We recognise that many incidents of ASB will also be a criminal act. We may also take civil action in these matters, where appropriate, but will do so in consultation with the Police, ensuring that our actions do not hinder their investigations. At our discretion, we may wait for the outcome of the Police investigation before determining and/or acting ourselves.

## 14. Data Protection, Information Exchange and Confidentiality

- 14.1. We will adhere to relevant data protection legislation. We have an information sharing agreement in place with partners including the Police and Local Authorities which allows us to share information, where it is for the purpose of preventing crime and/or disorder. This is made clear in our Privacy Statement on our website.
- 14.2. Where the customer has reported something to us and asks to remain anonymous to the perpetrator, we will respect their wishes so far as practicable and regular contact will be maintained with the customer/victim/witness, but we will explain the difficulties that this will present when dealing with the matter and how, as a result, our actions may be severely limited. We will offer all support available to ensure that the person reporting ASB feels as safe as possible pursuing their incident report. Where possible the allegation will still be presented to the alleged perpetrator but in an anonymised format provided the customer agrees. Alternatively, we will seek to obtain corroborating evidence that can be relied on from a third party.
- 14.3. Where the report relates to something that we are duty-bound to share with our partners e.g., information relating to a crime, concerns about safeguarding issues, we will explain to the customer the reasons for us having to disclose and manage any concerns as effectively as we can.
- 14.4. We will actively advertise and promote the ASB service, this will include publishing successful outcomes. The aim being to assure our customers that we will not tolerate anti-social behaviour in the communities where we work and increase the visibility of the service we provide. This promotion will adhere to current data protection guidelines.



## 15. Closing ASB cases

15.1. We may close a case when one or more of the following happens:

- ♦ The customer fails to engage with us in enabling us to fully investigate the allegations where the requests made for co-operation are reasonable, and they have no justifiable reason for failing to do so.
- ♦ The customer confirms that the issues have been resolved.
- ♦ Both parties confirm that mediation or other action has proved to be a success.
- ♦ The perpetrator, if a tenant, is evicted.
- ♦ We feel that there is no further action that we can take – (if this outcome applies, we will ensure that we are clear with the customer as to the reasoning for this).
- ♦ The customer fails to respond when we contact them regarding closure of a case.

15.2. Once the case is closed we will obtain feedback from the customer. This information will be used to evaluate the management of the case and identify any changes that may be required to our policies, procedures and operations,

15.3. In implementing this policy, we will regularly monitor the Equality Analysis regarding ASB. We will also evaluate cases following closure to ensure policy compliance, customer satisfaction and to investigate the effectiveness of our response. We will use this information to continuously improve our approach.

15.4. Cases may be re-opened should any new instance of ASB be reported or if new relevant evidence emerges.

## 16. Training of Staff

16.1. All staff dealing with ASB and Domestic Abuse cases will be given the training required to be able to fulfil the responsibilities found within this policy.

## 17. Service Standards – What customers can expect

17.1. From the outset, we will make clear to customers, the service they can expect from us and the timescales for dealing with ASB matters. If these timescales change, we will explain the reasons why as the timescales will depend on each case in turn.

17.2. There are, however, some key timescales that we commit to in every case, these include:

- ♦ Respond within our published timescales when ASB is first reported to us.
- ♦ For serious ASB cases that are deemed high risk, we will develop an action plan with the customer within two working days of initial contact.
- ♦ Agree individual timescales with the customer for keeping them informed of the progress of their case within five working days of acceptance of the ASB case.
- ♦ Contact the customer to discuss the case not less than fifteen working days before we close it.

## Monitoring and Review

18.1. Key Performance Indicators (KPI's) are set, and regular case management reviews undertaken to ensure that complaints of ASB are being dealt with effectively and within timescales. KPI's include customer satisfaction that will be reported on the Board scorecard.

18.2. This policy will be reviewed not less than every three years. Reviewing the policy will ensure that it is effective and complies with current legislation and good practice.

## 19. Links to Other Policies, Procedures or Documents

- ♦ Neighbourhood Management Policy
- ♦ Safeguarding Policy
- ♦ Data Protection Policy
- ♦ Privacy Policy
- ♦ ASB Procedure and supporting documents.
- ♦ Safer Estates Agreement
- ♦ Information Sharing Protocol
- ♦ Tenancy Conditions
- ♦ Domestic Abuse Policy
- ♦ Hate Crime Policy
- ♦ No Lone working Policy

## Risk Assessment

- ♦ Risk Map (Reference 1.2) - Group policies do not incorporate current legislation, equality and diversity, or best sector practice and fail to protect the business.
- ♦ Ref 1.5 The Group's reputation is harmed as a result of its activities.
- ♦ Ref 1.8 The Group is exposed to legal claims from customers, resulting in damage to the Group's reputation.
- ♦ Ref 3.3 An incident occurs to an employee whilst working alone.
- ♦ Ref 3.4 The Group is accused of committing corporate manslaughter.
- ♦ Ref 4.1 Effective Health and Safety policies and procedures are not in place resulting in prosecution from the H&S Executive
- ♦ Ref 6.2 The Group fails to maintain Consumer Standards in line with the objectives and framework set out by the Government.

## Regulatory Issues

National Standards are Neighbourhoods & Community Standard and Tenancy Standard.

## Impact Assessments

An Equality and Diversity impact assessment has been carried out and there is no adverse impact on customer groups.



## APPENDIX A

### Examples of Antisocial Behaviours

This list is intended to be illustrative and may be reviewed as the need arises. See below for examples of behaviours that are not normally considered as antisocial.

#### Environmental ASB:

- ◆ Condition of a home causing a hazard to health
- ◆ Littering/fly-tipping
- ◆ Dog fouling
- ◆ Graffiti

#### Personal ASB:

- ◆ Foul and abusive language
- ◆ Threats of or actual violence
- ◆ Threats of criminal damage or actual criminal damage
- ◆ Harassment and intimidation
- ◆ Persistent and unreasonable noise nuisance
- ◆ Garden nuisance /rubbish (such that is likely to be considered unsightly or to attract vermin or further antisocial behaviour)
- ◆ Alcohol related nuisance
- ◆ Inconsiderate parking

#### Community ASB:

- ◆ ASB as a result of drug use/activity at or in the locality of a property
- ◆ Loud music/shouting/regular parties from an address
- ◆ Irresponsible or dangerous parking on land owned by the Association.

#### Behaviours not categorised as ASB

Some behaviours that may cause annoyance to individuals may not necessarily be considered as ASB by HPG, some examples are given below.

- ◆ DIY during the day – where the noise is not excessive.
- ◆ Children playing football/games in the street.
- ◆ Babies crying
- ◆ An audible television volume during the day – where the noise is not excessive.
- ◆ Day to day living noise which is not excessive or unreasonable e.g. moving furniture, children playing.
- ◆ Problems arising due to a clash of lifestyles where a customer has a right to enjoy their home and is entitled to go about their daily life without having concern that complaints will be made against them e.g., customers who work night shifts.

## APPENDIX B

Name:	Address:
Incident No:	

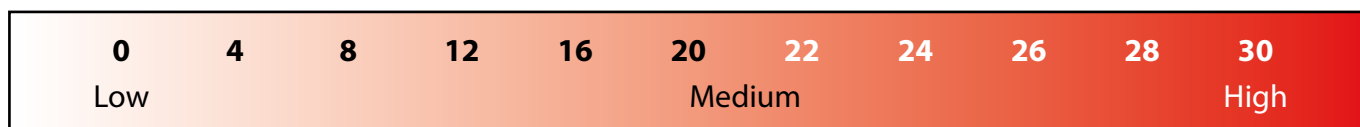
History

1. Other than this occasion - how often do you have problems?	5 3 2 1 0	Daily Most days Most weeks Most months Only occasionally
2. Do you think the current incident is linked to previous incidents? If so why?	2 0	Yes No
3. Do you think that incidents are happening more often and/or are getting worse?	2 0	Yes No
4. Do you know the offender/ s?	2 1 0	They know each other well They are 'known' to each other They do not know each other
5. Does the perpetrator (or their associates) have a history of or reputation for intimidation or harassment?	6 4 2 0	Perpetrator or their associates are currently harassing the complainant Perpetrator or their associates have harassed the complainant in the past Perpetrator or their associates have not harassed the complainant, but have a history or reputation for harassment or violent behaviour Perpetrator or their associates have no history or reputation for harassment or intimidation
6. Have you informed any other agencies about what has happened? If yes, are you happy for us to discuss this problem with them? Details:	0 1	Yes No

Vulnerability

7. Which of the following do you think that this incident deliberately targeted Specify	4 3 1 0	You Your family Your community None
8. Do you feel that this incident is associated with your faith, nationality, ethnicity, sexuality, gender or disability? Details:	3 0	Yes No
9. In addition to what has happened, do you feel that there is anything that is increasing you or your household's personal risk (e.g. because of personal circumstances) Details:	3 0	Yes No
10. How affected do you feel by what has happened? Details:	0 1 2	Not at all Affected a little Moderately affected

	3 5	Affected a lot Extremely affected
11. Has yours or anyone's health been affected as a result of this and any previous incidents? Details:	3 3	Physical health Mental health
12. Do you have a social worker, health visitor or any other type of professional support? Can we speak to them about this? Details:	0 1	No Yes
13. Do you have any friends and family to support you?	3 3 1 0	Complainant lives alone and is isolated The complainant is isolated from people who can offer support The complainant has a few people to draw on for support The complainant has a close network of people to draw on for support
14. Apart from any effect on you, do you think anyone else has been affected by what has happened? Details:	3 2 1	Your family Local community Other
<b>TOTAL SCORE:</b>		



#### CONSENT TO INFORMATION SHARING

I consent to agencies obtaining and sharing information as part of the multi-agency work to help and secure my safety and that of my family.

**If there are child protection concerns, information will be shared regardless of whether this form is signed.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

