

Anti-Social Behaviour Policy

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1. INTRODUCTION

1.1 Equity Housing Group is committed to taking positive action in conjunction with partners, to deal with all forms of Anti-Social Behaviour (ASB). Equity Housing Group will work with partners to monitor any incident patterns, and agree a partnership approach to ensure we are tackling the ASB being caused and that any vulnerable victims and witnesses are supported.

1.2 This policy sets out the ways in which Equity Housing Group will seek to deliver on this commitment by working with customers, other departments and partner agencies. The overall purpose of the ASB Policy is to:-

- Aim to prevent incidents and the reoccurrence of ASB in Equity Housing Group's neighbourhoods.
- Ensure that ASB is tackled efficiently and effectively using a variety of approaches including early intervention, prevention and the legislative framework of tools and powers.
- Work with vulnerable residents, both victims and perpetrators, and support agencies to ensure that ASB is tackled and not tolerated.
- Work proactively with partner agencies, seeking support from other agencies and organisations to develop the most effective approach and resolution to problems.

2 BACKGROUND

2.1 Equity Housing Group defines Anti-Social Behaviour as;

- **any act which caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator" (Crime and Disorder act 1998).**
- **anything which causes or is likely to cause a nuisance annoyance or disturbance to any person in the local area" this applies to members of the household, visitors and pets (Equity Housing Group's Tenancy Agreements)**
- **conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,**

Or

- **conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises,**

Or

- **conduct capable of causing housing-related nuisance or annoyance to any person.(ASB, Crime and Policing Act 2014)**

3 LEGAL & REGULATORY CONTEXT

3.1 Equity Housing Group does not operate in isolation and this Policy has been written to take account of obligations imposed by National legislation and other strategies. In particular;

- Housing Acts 1985 & 1996
- Crime and Disorder Act 1998
- ASB, Crime and Policing Act 2014
- Housing Act 2004
- Environmental Protection Act 1990
- Equality Act 2010

3.2 The ASB Strategy clearly links to the organisational vision, mission and the five aims, in particular to;

- Invest in building sustainable homes and places where our customers can thrive
- Understand our diverse customers and deliver high quality, tailored services
- Support our customers' wellbeing, and help grow the capacity of communities to address the challenges they face
- Grow the business, driving maximum social value from our activities
- Maintain a commercially viable and sustainable business, driving surplus to fund the delivery of new affordable homes

3.3 The ASB Policy has clear links to many of Equity Housing Group's strategies, policies and action plans, in particular:

- Domestic Abuse Policy
- Hate Crimes Policy
- Abusive Customer Policy
- Equality & Diversity Strategy
- Allocations Policy

- Adult and Childrens' Safeguarding Policy

4 POLICY SUMMARY

4.1 Equity Housing Group is committed to taking positive action in conjunction with partners, to deal with all forms of Anti-Social Behaviour (ASB). Equity Housing Group will work with partners to monitor incident patterns, and agree a partnership approach to ensure we are tackling the ASB being caused and that any vulnerable victims and witnesses are supported.

4.2 Key Principles:

- Aim to prevent incidents and the reoccurrence of ASB in Equity Housing Group's neighbourhoods.
- To ensure that ASB is tackled efficiently and effectively using a variety of approaches, including early intervention, prevention and the legal frame work.
- To work with vulnerable residents, both victims and perpetrators, and support agencies to ensure that ASB is tackled and not tolerated.
- To work proactively with partner agencies, seeking support from other agencies and organisations to develop the most effective approach and resolution to problems.

5 POLICY DETAIL

5.1 Equity Housing Group seeks to create sustainable neighbourhoods where people from all different backgrounds and groups can exist side by side within a culture of co-operation and respect. By responding positively to incidents of ASB, Equity Housing Group will develop a culture of zero tolerance to such incidents, thus combating exclusion and enabling all people to play a full part in society.

5.2 Equity Housing Group will issue a tenancy agreement to every new customer and will impress upon customers at sign up the rights and responsibilities of customers and what the implications of causing ASB. Victims can report ASB by contacting the Customer Contact Centre, by contacting their Customer Relationship Manager in person, by E Mail, by phone, via the website or the out of hours number. By attending at Head Office at Armitt House.

5.3 Equity Housing Group treats all reported incidents of ASB, Hate Behaviour and Domestic Abuse very seriously and will take immediate and appropriate action whenever incidents are reported or identified.

5.4 A victim centered approach will be followed ensuring that customers are signposted to appropriate support services and feel able to work with Equity Housing Group staff in the investigation of the incident.

5.5 When a complaint of ASB is made, Equity Housing Group will record the complaint, asses the type of ASB being complained of and apply one of the following categories:-

CATEGORY A

Hate related incidents

Threats of violence or actual violence

Domestic Abuse

Threats to Staff/Contractors

Damaging or threatening to damage property

CATEGORY B

Noise

Verbal abuse, harassment, intimidation

Drug Abuse

Rowdy or drunken behaviour

Arguing and door slamming

CATEGORY C (tenancy management)

Condition of property

Hoarding

Rubbish Dumping/fly Tipping

Abandonment/Subletting

Boundary disputes

Car Parking

CCTV allegations of intrusion

Damage to property not criminal (ie flooding)

Untidy gardens

Dog Nuisance

Smells from pets/rubbish/fires.

5.6 The following issues are not classified as ASB and will not be investigated.

Children playing

Cats roaming or fouling

Cooking smells

Parking on a public highway

People staring or giving “funny looks”

People being rude or disagreeable

Commercial noise

Social media disputes unless it amounts to harassment

General household noise

5.7 All Category A complainants and all High Vulnerability complainants are contacted within 1 working day and are offered support and a referral to any relevant agencies and an action and care plan will be made with then ensuring contact is agreed.

CAT A – URGENT

CAT B – PERSISTENT NUISANCE

CAT C – TENANCY MANAGEMENT

5.8 Equity Housing Group will complete a Risk Assessment Matrix (RAM) to establish and identify vulnerable complainants and apply a vulnerability category.

Level 1 – High vulnerability

Level 2 – Medium vulnerability

Level 3 – Low vulnerability

5.9 All CAT A Cases will be managed by Community Relationship Managers and Regional Relationship Managers. All Cat B and C Cases will be managed by Community Relationship Manager or Retirement Living Coordinators.

5.10 Equity Housing Group will then;

- Contact customers in CAT A cases and all Level One vulnerability cases within 1 working day.
- Interview Cat B and C complainants within five working days.
- Develop victim action and care plan in agreement with the complainant to investigate the problem, and agree a level of support and contact.
- Keep in regular agreed contact with complainants throughout the duration of the case.

- Offer mediation as a possible solution to Cat B and C cases.

5.11 Equity Housing Group will work to prevent homelessness and help complainants/victims to remain in their home by facilitating the implementation of increased security measures such as extra locks or window shock alarms.

5.12 Where it is believed any child or vulnerable adult is at risk due to incidents of ASB, Equity Housing Group will follow Equity Housing Group's Safeguarding Procedures.

5.13 Equity Housing Group operates an Out of Hours service for customers to report new and existing ASB incidents and a dedicated ASB E Mail address that customers can access from the website.

5.14 Equity Housing Group will investigate all complaints and will gather evidence from complainants to support the case, this could be in the form of logging incidents in a diary, using witness statements, by contacting other residents and partner agencies including the Police and also through the use of recordings, camera footage, CCTV footage and may use Professional Witnesses if appropriate.

5.15 Equity Housing Group will consider all the options available when investigating and taking action in a case of ASB and will use the legislative framework to ensure the protection of victims and to stop the incidents repeating. The tools available, some of which are delivered in partnership with other agencies, include:

- Warnings
- Mediation /Restorative Justice
- Parenting Contracts
- Acceptable Behaviour Contracts
- Injunctions
- Issuing a Notice to Extend Starter Tenancy
- Issuing a Section 21 Notice to End a Starter Tenancy
- Possession Proceedings on Discretionary or on Mandatory Ground

5.16 Equity Housing Group will issue new customers with an Assured Shorthold Tenancy agreement (Starter which will become assured after 12 months providing it has been adequately maintained within that time.) Assured tenancies will only remain as such as long as there have been no incidents of ASB which result in a possession order being obtained. Equity Housing Group will consider the Ground 7A Mandatory Ground for Possession where it is appropriate and proportionate. However in order to promote social inclusion, prevent homelessness and break the cycle of moving the behaviour elsewhere, eviction to resolve ASB will only be used as a last resort in most circumstances.

5.17 Equity Housing Group will work with other agencies and specialist organisations to ensure that appropriate best practice is employed in the prevention of ASB. Where

perpetrators of ASB show a willingness to address any underlying issues which cause their behaviour, then Equity Housing Group will offer assistance and support in this.

5.18 Employees will be given appropriate training that covers the impact of, and Equity Housing Group's response to, ASB. Staff will be trained to recognise ASB and how to challenge and respond to it. In addition support and guidance will be given to employees who may be a victim of ASB incidents.

5.19 Equity Housing Group will not condone ASB perpetrated by employees under any circumstances, or treat such incidents as a purely private matter. Equity Housing Group will treat any allegation, disclosure or conviction of an ASB related offence on a case-by-case basis.

5.20 Equity Housing Group does not condone ASB perpetrated towards its employees in any circumstances. Appropriate action under the "Abusive Customer Procedure" will be taken where incidents occur.

5.21 Equity Housing Group will provide a confidential service unless child protection issues are suspected.

5.22 Under the Crime and Disorder Act 1998 information can be shared between agencies to prevent and detect crime and disorder, including anti-social behaviour and other behaviour adversely affecting the local environment. Equity Housing Group will share information in line with the relevant partner's information sharing protocol and in line with GDPR.

5.23 Equity Housing Group will endeavor to meet access needs for any customer accessing the service, for example providing an interpreter or assisting those with low literacy or disabilities.

5.24 Equity Housing Group will monitor ASB incidents to identify any trends. Using this information Equity Housing Group will undertake targeted work to prevent incidents occurring if necessary.

5.25 Equity Housing Group will publicise positive action taken to resolve ASB wherever possible. Working with partners, this may include press releases to local newspapers, radio or television or other publicity materials such as leaflets and posters in the locality of where the ASB took place and the legal action has been successful.

5.26 CUSTOMER IMPACT

Equity Housing Group is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions

6 RESPONSIBILITIES

All CAT A Cases will be managed by Community Relationship Managers and Regional Relationship Managers. All Cat B and C Cases will be managed by Community Relationship Manager or Retirement Living Coordinators.

7 ASSOCIATED PROCEDURES

Anti-Social Behaviour Procedure.

8 REVIEW

This policy will be reviewed bi annually by the ASB Specialist to ensure that it is fit for purpose.