



Anti-Social Behaviour Policy

Document Control							
Valid from	Valid to	Version	Status	Author	Owner	Approval	Description of Change
2016	2018	1		Neighbourhoods Officer	Head of Neighbourhoods	Committee/Board and date of approval	
Oct 2018	Oct 2019	2	Partial review completed - Final	As above	As above	EP / Programme board October 2018	No changes made. Policy is subject to an internal transformation project. Outcome expected early 2019.
Oct 2019	Oct 2022	3	FINAL	Housing Manager	As above	Co-Exec October 2019	Updated to reflect internal transformation project & terminology from ASB to Unsocial Behaviour
Sept 2020	Sept 2023	4	FINAL	Head of Neighbourhoods	As above	Co-Exec Sept 2020	Change terminology back to ASB. Minor tweaks to terminology & addition to include county lines.
Nov 2023	Nov 2026	5	FINAL	Housing Operations Manager	Director of Housing	Co-Exec Nov 2023	Full policy review: includes ASB categorisation, our approach & additions ref. Leaseholders and Hate Crime.
Distribution/ Confidentiality:			Groupwide – shared documents				
Other Relevant Documents:			Other Policies and Strategies that relate to this one:				
			Tenancy Policy HomeChoices Policy Domestic Abuse Policy Safeguarding Policy			Complaints Policy Hate Crime Policy ASB Procedure ASB Toolkit	
Comments:							

1. Introduction

- 1.1 Our purpose, underpinned by our values, is to create communities where our customers feel safe and secure in their homes.
- 1.2 Our vision, is to provide “great places” providing quality homes and sustainable communities, supporting customers and working with partners to make better communities. -
- 1.3 This policy supports Futures Housing Group (FHG) in the delivery of effective action to manage Anti-Social Behaviour in accordance with the Anti-Social Behaviour, Crime and Disorder Act 2014.

2. Policy Scope

- 2.1 This policy applies to customers of all tenures living in a home owned or managed by Futures Housing Group (FHG) including: general needs, supported & sheltered housing, temporary accommodation, market and intermediate rent, service users and licencees. It also applies to customers in leasehold and shared ownership properties, albeit our approach to dealing with ASB will be led by the relevant leasehold covenants. If necessary, we may take legal action under the terms of the tenancy agreement, lease, license and other relevant legislation available to us.
- 2.2 We aim to deliver a balanced approach when tackling anti-social behaviour. Obtaining feedback to achieve customer satisfaction will allow us to deliver a “right first time” approach. Being clear to our customers what they can expect from us and explaining clearly when we will, and in some cases will not, intervene. In cases where we are not the most appropriate agency, we will signpost customers to the agency we feel can support them best.
- 2.3 We aim to provide an effortless reporting mechanism for complaints of anti-social behaviour, working together with external partners and using technology to help deliver a cohesive service when dealing with anti-social behaviour.
- 2.4 We will ensure all customers are treated in a fair and equitable manner and work in partnership with communities, local organisations and statutory agencies, to ensure we tackle discrimination and treat our customers according to their needs. Thus, ensuring we consider the needs and vulnerabilities of our customers when we respond.
- 2.5 We have a separate policies for; Domestic Abuse, Safeguarding and Hate Crime but recognise that some reports of noise nuisance, disturbances, harassment or ASB could be an indicator of potential domestic abuse, safeguarding, racial harassment or hate related incidents, e.g. complaints about arguments could be related to abuse or racially motivated. We will ensure that any potential indicators are actively considered as part of our ASB investigation and raise alerts in line with our domestic abuse, safeguarding and hate crime policies.

3. Policy Statement

- 3.1 FHG will not tolerate nuisance, annoyance, aggressive or anti-social behaviour towards our customers, their visitors, our colleagues and other agencies or contractors.
- 3.2 Our commitment is to prevent, manage and resolve anti-social behaviour wherever possible using a range of tools and powers to achieve a balance of prevention, enforcement and support for our customers.
- 3.3 We will deliver this using 5 key principles;
 1. Empower customers to self help with the offer of advice, support and coaching to help them resolve issues for themselves without the need for formal landlord intervention.
 2. Make it easy for customers to access help and make reports of anti-social behaviour for investigation.
 3. Working with alleged perpetrators of anti-social and nuisance behaviour we will help change those behaviours through relevant support and coaching.
 4. Make our customer offer clear and transparent so that expectations of what can be achieved are realistic and ensure that the customer is made fully aware of our expectations of them in order for the right outcome to be achieved (including where appropriate the need for them to participate in mediation).
 5. Make full use of our skills, legislation, partnerships, and other resources to effectively tackle anti-social and/or criminal behaviour in order to make our homes and communities great and safe places to live.

4. Definitions

- 4.1 Anti-Social Behaviour (ASB) as defined in the Antisocial Behaviour, Crime and Policing Act 2014 is:
 - i) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person.
 - ii) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
 - iii) Conduct capable of causing housing-related nuisance or annoyance to any person.

Housing-related means directly or indirectly relating to the housing management functions of a housing provider.

- 4.2 **Noise nuisance**, as defined by the Environmental Protection Act 1990 must meet one of the following criteria:
 - i) Unreasonably and substantially interfere with use or enjoyment of a home or other premises.
 - ii) Injure health or be likely to injure health.

- 4.3 FHG adopts these definitions to clearly differentiate between behaviour that constitutes anti-social behaviour and estate, tenancy or leasehold management nuisance which, whilst still may be a breach of tenancy, does not have such a detrimental effect on victims and witnesses or require an immediate and in-depth investigation.
- 4.4 Upon receipt of reports of ASB, cases will be categorised as; Complex ASB, Environmental ASB or Estate, Tenancy or Leasehold Management in accordance with the definitions set out above and alongside the guidance set out in the ASB procedure and toolkit.

5. Customer Responsibilities

- 5.1 The terms and conditions of our Tenancy, Licence, Lease and Covenant agreements set out clear responsibilities regarding anti-social behaviour and what is expected of our customers.
- 5.2 Customers need to ensure that they, their family and visitors, behave in a considerate way towards others living and working in their community.
- 5.3 FHG is committed to developing and maintaining sustainable communities across the whole of its business. We expect a reasonable level of tolerance between neighbours and will make a fair assessment on whether complaints made are reasonable.
- 5.4 An important part of sustaining communities is for our customers to recognise and acknowledge the initial responsibility to resolve disputes with others lies with them and to support customers in this. We have made information and tools available on our website.
- 5.5 We encourage all customers across all tenures to respect each other's lifestyles and be mindful how their lifestyle may affect others. Sometimes these lifestyles can clash but are not considered as ASB or Noise Nuisance in accordance with the definitions. Thus, meaning they are not; a breach of tenancy or lease, a behaviour attributed to living in a unneighbourly manner, or which adversely affects the quiet enjoyment by others or their homes.

This list is not intended to be exhaustive, but some examples may include:

- Minor disagreements between neighbours
- Noise from everyday living, such as babies crying, children playing, one-off parties, white goods, or low-level noise caused by pets (barking etc.)
- Lifestyle differences, such as reasonable noise occurring at unusual times because of different working patterns, cooking odours, minor or infrequent car repairs, putting rubbish out on the wrong day or on the street whilst waiting for bulky item collection.

In circumstances such as these, we will be clear that we will not be able to assist further and offer appropriate advice, signposting to other agencies or self help tools, where relevant.

- 5.6 We encourage customers to take responsibility for solving personal disputes between themselves where appropriate. This may include collating evidence, liaising with other agencies and taking part in mediation.
- 5.7 Customers are encouraged to report ASB to Futures as soon as possible after the event to allow for a timely investigation. ASB should be reported within six months of when the event happened.
- 5.8 Customers are encouraged to report crimes, including race related incidents, threats or acts of violence, to the police.

6. Our approach

- 6.1 We are committed to taking a proactive and partnership approach to prevent, manage and resolve ASB, to ensure our communities are places where our customers enjoy living, feel safe, happy and secure in their homes. In order to achieve this, we will:
 - 6.1.1 Ensure ASB can be reported to us in different ways, including in person, in writing, over the phone and on our website. We offer anonymous reporting and facilitate the reporting of ASB by non-residents.
 - 6.1.2 Acknowledge reports of anti-social behaviour in accordance with our customer promise and within a maximum of five working days. We may respond more quickly where we consider the person or community is at high risk of harm.
 - 6.1.3 Categorise reports of ASB, as follows;

Complex ASB consists of; criminal activity, criminal damage – including arson, drug related activities (possession, supply, sell or cultivate), harassment and intimidation, physical abuse, and threatening or violent behaviour.

Environmental ASB consists of; noise nuisance, neighbour disputes, animal nuisance and vehicle nuisance.

Estate, Tenancy and Leasehold Management consists of; abandoned vehicles, boundary disputes, communal area issues, hoarding, property and garden neglect and one-off or isolated occasions of fly-tipping, graffiti and drug paraphernalia.

Reports of estate, tenancy and lease management issues will be managed in accordance with the tenancy policy and the tenancy, licence or lease agreements, and where necessary in partnership with the relevant statutory agencies or authorities. These will not usually be investigated or managed in the same way as complex or environmental ASB, unless there is evidence to suggest it is persistent, targeted or impacting a person's life and we can evidence it is ASB.

- 6.1.4 Acknowledge that sometimes repeated incidents of noise, lifestyle and nuisance can have a serious impact on a person's life. We may consider it appropriate to take a tenancy management approach to remind customers of their responsibilities or take other preventative action. If the behaviour continues and

we can evidence that it is ASB we may investigate in line with this policy.

- 6.1.5 Signpost, refer and support external investigations and take necessary supporting action, where the prime responsibility and power to lead an investigation lies with another service, such as the police or the local authority.
- 6.1.6 Investigate noise nuisance where the noise is frequently excessive in volume and duration or occurs at unreasonable hours. It is reasonable to expect some level of noise from everyday life but if there is concern for someone's welfare, this should be reported to FHG.
- 6.1.7 Carry out a risk assessment to assess the impact the ASB is having on the complainants and whether they are vulnerable and have any support needs. We will also use the risk assessment to help us prioritise cases.
- 6.1.8 Manage customer expectations, to ensure we do not over promise and create dissatisfaction. We will be clear on;
 - i) When an ASB case **can** and **cannot** be raised.
 - ii) What constitutes ASB and what does not.
 - iii) What proportionate action we can, will and will not take.
 - iv) What action other statutory agencies are responsible for taking, to support the management and resolution of ASB.
 - v) Timescales for actions, updates and reviews of action plans.
- 6.1.9 Work in partnership and consult with customers, the wider community, statutory agencies, local authorities, youth offending teams, community safety partnerships, support providers, community groups, registered providers, and other external agencies as necessary to prevent, manage and resolve ASB in our communities and provide support to those with vulnerabilities.
- 6.1.10 Use a range of preventative measures, early intervention, signposting to mediation services and legal action to prevent, manage and resolve ASB. This includes the full range of tools and powers available to us as outlined in the ASB, Policing and Crime Act 2014. The methods used will be proportionate to the seriousness, impact and frequency of the behaviour, the level of risk that it poses to those affected, and the evidence available to support the case.
- 6.1.11 Agree an action plan, frequency and methods of contact with the complainant and any witnesses to keep them informed of the actions we take. We will make them aware of information they need to collate, evidence or provide to us, to support the investigation. We will contact them when we close a case, giving our reasons for doing so.
- 6.1.12 Consider the possible vulnerability of both victims and perpetrators of ASB when deciding the intervention actions appropriate to dealing with each case. We recognise that perpetrators may not be deliberately causing ASB and indeed may be victims themselves, in cases of county lines and cuckooing, for example. We will work with

police, local authorities and other agencies providing support to vulnerable people to obtain the appropriate support and achieve positive outcomes for our customers, including making behavioural changes or safeguarding individuals.

6.1.13 Consider target hardening and management transfers for those assessed at high risk, in line with the criteria outlined in our Tenancy, HomeChoices & Domestic Abuse Policies.

6.1.14 Close a case after investigation and appropriate action is taken and where:

- i) We consider all appropriate action has been taken in line with the action plan agreed with the customer.
- ii) There are no further reports for a period of 6 weeks (unless we have begun legal action or are gathering further evidence) or earlier if agreed with complainant.
- iii) The customer reporting the ASB fails to engage with us during the investigation.
- iv) We have evidence that the nature of the report is unreasonable or due to vindictive or malicious intentions. (We may take action against the complainants where we find complaints of ASB to be malicious, persistent or unfounded)
- v) No further action can be taken.

6.1.15 Provide support and advice to complainants and witnesses of ASB and refer them to external agencies where appropriate. We will co-operate fully with the Community Trigger process to help resolve cases of ASB.

6.1.16 Provide colleagues with training, clear guidance, policies and procedures so that they can deal effectively and confidently with cases of ASB, use the appropriate enforcement tools, and are aware of the wider issues associated with ASB, including hate crime, domestic abuse and safeguarding.

6.1.17 Share information with third parties where we have an information sharing protocol in place, there are safeguarding concerns, or we have a duty to do so for the purpose of crime prevention under the provisions of the Crime and Disorder Act 1998.

6.1.18 Measure outcomes and review customer feedback, to continually seek to improve our processes.

7. Customers Dissatisfaction

7.1 If customers are dissatisfied with the approach taken by FHG or the handling of ASB cases, they can be referred to our complaints policy.

- 7.2 Complaints received as part of the Community Trigger process, will be dealt with by the Local Authorities Community Safety Team and in accordance with the relevant local policing bodies process. It will not be dealt with via FHG's complaints policy.

8. Review

- 8.1 We will undertake a review of this policy every 3 years, unless there are changes in legislation that require an earlier review.
- 8.2 We will review procedures relating to it and staff training needs at regular intervals to ensure that it continues to operate best practice and that service improvements are made and implemented.

