



Anti-Social Behaviour Policy

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Owner:	Highstone Housing Association
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1. Introduction

Highstone Housing Association (HHA) are committed to making sure that we provide our tenants with homes and neighbourhoods where they can live feeling safe, settled and secure. HHA are committed to preventing any sort of Anti-Social Behaviour (ASB), harassment or hate crime.

HHA are dedicated to preventing and tackling ASB and its potential devastating effects, and will work in partnership with relevant services, organisations, and people to deliver a pro-active approach in dealing with ASB, harassment or hate crime.

2. Purpose

The aim of the policy is to prevent and minimise instances of anti-social behaviour and to resolve them as early as possible through timely and appropriate intervention.

HHA will always adopt a victim centered approach allowing for the provision of appropriate support, which will include external agencies especially in the most serious of cases.

HHA recognise the importance of good, effective communication and the provision of regular updates to victims should be emphasised, which could involve providing a clear action plan and single point of contact, where possible.

The objective of this policy is to

- Treat people fairly and equally at all time
- Take action that is proportionate and reasonable to the circumstances; and
- Clarify how anti-social behaviour complaints will be dealt with and responded to

3. What is Anti-Social Behaviour (ASB)?

‘Anti-Social behaviour’ is a broad term for describing different types of behaviour but for the purpose of this policy we mean behaviour that relates to:

- **Conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person,**
- **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

The above set out the legal definitions of ASB. In practice, judgement will be exercised by HHA in deciding what amounts to ASB in individual situations.

Examples of anti-social behaviour include:

- hate crimes
- violence or threats of violence
- domestic abuse
- noise nuisance
- verbal abuse
- intimidation
- criminal activity, including using homes to sell drugs
- damage to property and vandalism
- sexual abuse
- foul language
- criminal damage
- graffiti
- loud music
- arguing and intentional door slamming
- offensive drunken behaviour
- smoking in areas designated as “no smoking”
- pets causing a nuisance

“Harassment” can be defined as deliberate words or actions, by one person or a group of people, which are unwelcome, and which cause offence or distress. Harassment usually involves repeated acts of unacceptable behaviour.

We use the term anti-social behaviour quite widely as it will also cover mild nuisance behaviour. We appreciate that different people and particularly vulnerable tenants may become distressed or alarmed by different types of behaviour and activity. We will not always get involved in everything that is reported to us as causing a nuisance. Whether or not we consider an activity to be anti-social will depend on a number of things and the evidence to prove the anti-social behaviour is taking place. We will consider how severely the activity or behaviour it is affecting others, how regularly it is happening, and whether the behaviour is considered unreasonable.

4. What is HHA will not class as Anti-Social Behaviour

There may be incidents that are reported to HHA that we will not consider to be anti-social behaviour, this includes, but not limited to

- Banging doors
- Minor personal differences such as people staring or dirty looks
- Clashes of lifestyle, including cultural differences
- Walking up stairs to access homes

- Loud talking from adjoining properties and / or communal areas
- Normal household noise from domestic appliances such as washing machines, vacuum cleaners, low level TV or radio noise.
- One of parties / community gatherings / events – such as birthdays, bonfire night.
- DIY at reasonable hours.
- Parking on a road or in an available parking space where the car is taxed and insured, the parking bay is not designated to resident and car is parked in accordance with the law.
- Complaints where allegation of a crime is being made. HHA will not lead an investigation about an alleged crime; that is the role of the Police. HHA will assist the Police in an investigation of crime where appropriate.

5. HHA approach to tackling ASB

HHA will commit to a consistent approach in understanding and addressing antisocial behaviour within the neighbourhoods we operate within.

This approach incorporates the following principle's:

- Prevention
- Early Intervention
- Partnership Working
- Enforcement

We will, where specific vulnerabilities are identified or behaviours are linked to health diagnosis make sure a tailored approach is adopted to those suffering the effects of ASB and to those perpetrating, accounting for any protected characteristics.

5.1 Prevention

Prevention is putting in place measures to create a physical and social environment in which ASB is less likely to arise in the first place. To support this, we

- have clear clauses in our tenancy agreements that allow us to deal with ASB
- provide advice for tenants on their responsibilities and remedies available
- work with relevant professionals under existing voids and nomination agreements as part of our allocations policy ensuring that new tenants are housed appropriately for their needs and where support needs are identified we will make sure that support is provided as required.
- are pro-active in improving the physical environment of our homes
- build and maintain our properties to standards that minimise the impact of ASB

5.2 Early Intervention

Intervention at an early stage in anti-social behaviour cases is crucial in order to resolve problems and prevent their escalation. We want to avoid eviction and homelessness by intervening to achieve a positive outcome for all concerned. We will employ a range of options to resolve the situation on a case-by-case basis. To support this can use a range of non-legal approaches:

- speak to all parties involved and their support networks to gain a full picture of the ASB
- issue warnings for tenancy breaches – verbal and written
- work in partnership with police, social work teams, support providers, friends and family and any advocates.
- engage with a perpetrator to agree a tenancy / behaviour improvement agreement
- offer to mediate / refer for mediation between the parties
- extension of starter tenancies

We will where specific vulnerabilities are identified in a case, make sure a tailored approach is adopted to those suffering the effects of ASB and to those perpetrating, accounting for any protected characteristics.

5.3 Partnership Working

HHA acknowledges the importance of partnership working and this is incorporated into our everyday work.

We will work closely across Local Authorities with all relevant agencies and will share information with appropriate partners.

As a registered provider we have a duty to share information with relevant agencies as set out by the Crime and Disorder act 1998. All personal data customers or their representatives provide to HHA will be processed in accordance with our data privacy notice that can be found [on our website](#) and in accordance with data protection laws (including the UK version of the General Data Protection Regulation and the Data Protection Act 2018).

5.4 Enforcement

Before taking legal action, we must consider if the case is serious enough to warrant legal action, whether residents are prepared to give evidence in court, what action has been gathered by other means, the quality of the evidence and if all alternative dispute resolutions have been considered.

When legal action becomes necessary, we will use the most appropriate tool available to us. There are a range of legal powers for tackling anti-social behaviour some of which we can use on our own, primarily through the County Court; these can include:

- Civil Injunctions
- Undertakings
- Possession proceedings as a last resort

We will also work with partner agencies to consider other solutions where required:

- Noise Abatement
- Criminal Behaviour Orders (CBO's)

6. Reporting Anti-Social Behaviour

We understand that making reports of ASB can be a difficult step to take for our tenants. We encourage our tenants, visitors, and those working within our neighbourhoods to report ASB to HHA.

Our methods to report incidents of ASB include:

- In person to any member of the HHA team
- Via telephone 01484 609189
- Email complaints@highstoneha.co.uk
- Website via the online contact form
- In Writing
- Through a support provider, advocate, or other professions agency

7. Resolving an Anti-Social Behaviour Cases & Categories

All complaints of anti-social behaviour made to HHA will be dealt with promptly and professionally.

To do this, we use a two-category approach to decide what action should be taken. The categories are below:

Category 1	Serious	Relates to extreme behaviour such as drug dealing, unprovoked assault, violence, and harassment. Also, threatening, and abusive behaviour, frequent serious disturbance or vandalism and damage to property. Usually there will be police involvement. Such cases require an immediate response, with the matter investigated as a priority	First contact with the customer on the same day / within one working day and investigation, to be completed within 28 days.
Category 2	All other Complaints	Covers other less serious nuisance including cases of excessive noise, family disputes affecting neighbours, infrequent disturbances, complaints about pets, visitors	5 days with the investigation completed within 28 days.

		or children, and stair cleaning or garden upkeep. These complaints will be investigated within	
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To help us determine the relevant category we will:

- contact the person who reports the incident(s) within one working day to discuss the ASB and establish the facts for case which involve the use or threat of use of violence or hate crime.
- contact the person who reports the incident(s) within 5 working days to discuss the ASB and establish the facts for all other cases.
- assess each complaint to decide whether it is a tenancy issue, a criminal matter or both.
- assess whether it is a neighbour complaint or a wider neighbourhood issue and respond with action that is reasonable and appropriate.

Once we have categorised the complaint we will:

- keep in contact on a weekly basis with the person reporting the incident until the case is closed or by other mutually agreed timescales
- where relevant provide the complainant with ASB log sheets to complete to note further incidents to help us gather evidence.
- in more complex cases agree an investigation plan and communication plan with the tenant and keep the tenant updated on progress of the case in the way we agree with the tenant
- work towards resolving the ASB.

8. Closing an ASB case

We will close an ASB case when (this list is not exhaustive)

- We believe we have resolved the problem, or the problem has stopped.
- We have insufficient evidence to proceed
- We believe the evidence does not warrant action
- The complainant does not respond to us or withdraws their complaint.

The decision to close the case will be made by the Housing Manager in partnership with all concerned parties.

9. Monitoring & Review

HHA will record all incidents of ASB, which will enable us to report against a range of performance measures.

Our performance will be reviewed at Board a minimum of every quarter and reports to board will include

- The total number of ASB cases recorded
- The current number of open ASB cases
- The number of resolved ASB cases
- The % of cases investigated on time.
- The number of cases per ASB category

This policy will be reviewed by the Managing Director every three years, or where there has been significant changes to regulation or legislation to warrant a further policy review. The policy may also be reviewed sooner where there is a need to address operational issues or where best practice has evolved and there is a need to incorporate this.

10. Equality and Diversity

Actions under this policy will ensure that all customers will be treated fairly, with dignity and respect regardless of their age, disability, gender re assignment, marriage and civil partnership, pregnancy and maternity, race (include colour, nationality and ethnic origins, religion and or belief, sex, sexual orientation, social or economic background, or any other inappropriate distinction.

11. Right to Appeal

Customers have the right to appeal the decision of any formal action taken in relation to this policy. HHA will confirm how an appeal can be made once a decision is reached and this is communicated to the customer

Document Control

Changes made	sections	date	by	Date approved by board
Minor: House of Commons briefing paper: Tackling Anti-social behaviour in social housing (England) No 0264 24 th February 2017	1 and 5 Minor amendments to link policy to this paper	4/7/2017	LB	22/11/2017
No changes	-	15/05/2019	LB	June 2019
Updated to include breach of tenancy, eviction and clarifying final rent payments. Aligned with SHTA, Handbook, Easy Read, ASB policies	All	25/09/2019	LB	17 th October 2019
Overhaul of policy to ensure meets with legislation, and regulatory requirements.	All	25/04/2023	KI	07/06/2023