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ANTI-SOCIAL BEHAVIOUR POLICY

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Summary

This Policy details how we manage cases of anti-social behaviour (ASB); what may constitute ASB; how we work with partners to seek an effective resolution; and how we aim to support complainants and deal with respondents, in line with effective use of legal tools at our disposal in line with our tenancy agreements.

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Introduction

Purpose

This Policy details our approach and commitment to tackling anti-social behaviour (ASB) in order to provide safe, secure and clean neighbourhoods and to create sustainable communities. Longhurst Group recognises that everyone has a right to enjoy their own lifestyle but only when it does not interfere with the rights and quality of life of other residents.

Longhurst Group (the Group) recognises that ASB can have a detrimental effect that can seriously affect the lives of individuals and communities. It is also recognised that what is perceived as 'low level' anti-social behaviour, when targeted and persistent, can have devastating effects on a victim's life. The Group is therefore committed to treating all reports of ASB seriously and will take timely, effective and consistent action to tackle all forms of ASB at the earliest opportunity.

The Group, however, also recognises that not everything can be deemed to be ASB despite it being perceived as such. In these circumstances we would encourage customers to resolve their disputes amicably by communicating with each other to reach a mutually agreed resolution.

The key objectives of this policy are to:

- understand and define what ASB is;
- detail the legal and regulatory framework that provides us with the tools to respond to ASB and with which we are required to comply;
- outline our approach and commitment to dealing with ASB effectively and efficiently
- outline how we will assess the risk to complainants and undertake a victim centred approach; and
- monitor performance to assess the quality and effectiveness of service.

Legal and Regulatory Framework

The Regulator of Social Housing Regulatory Framework, specifically the Neighbourhood and Community Standard, requires registered housing providers:

- to co-operate with relevant partners to help improve social, environmental and economic wellbeing in areas where they own properties; and
- to work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.
- In tackling ASB we will ensure that we comply with all appropriate legislation and regulations. We will make full use of all powers made available to us and work in partnership with other agencies to ensure the effective use of any powers available to them to ensure a swift and effective response to any incidents of ASB.

PART TWO

Policy

Intent

This policy sets out how we manage anti-social behaviour (ASB) in our neighbourhoods and localities across the Group.

Principles

In responding to complaints and allegations of ASB we will:

- work in partnership with the Police, Local Authorities and other partner agencies to respond effectively to reports of ASB;
- provide a supportive and safe environment to customers to encourage reporting of ASB and make reporting accessible and easy;
- treat people fairly and sensitively during our investigations and base our response on the evidence available;
- ensure any information provided to us in respect of an ASB complaint is treated in the strictest confidence, for example from witnesses and via court action (however it should be noted that in certain circumstances this principle may not apply, for example in cases of child protection);
- assess the vulnerability of customers (complainants and respondents) and offer assistance if appropriate and available, including a referral to our Safeguarding Team if appropriate;
- enforce tenancy and lease conditions, using effective case management interventions and a balance of prevention and support measures to include legal and non-legal remedies;
- encourage customers to resolve their disputes amicably by communicating with each other and offer mediation where appropriate;
- be realistic with the response that we are able to offer;
- publicise our successes to raise awareness of our work and to encourage further reporting of ASB;
- monitor our performance to assess the quality of our service and compliance with this policy and the ASB procedure; and
- ensure customers are made aware of the terms and conditions of their tenancy agreement and of their responsibilities in relation to ASB.

Scope

This policy applies to all parts of the Longhurst Group ('the Group') including any subsidiaries.

This policy will provide a clear and consistent approach across the Group.

This policy relates to the management of rented homes (including Care and Support), shared ownership and other leasehold homes, however some of the remedies available to tackle ASB are only available for rented homes.

Policy Details

Definitions

'Anti-social behaviour' is the broad term used to describe a range of nuisances, disorder and crime that affect people's lives. It covers many types of behaviour that vary in nature and severity, many of which are open to interpretation.

Issues that could constitute as ASB are listed in Appendix A.

There is currently no single definition of ASB which is commonly used nationally. However, the Anti-Social Behaviour, Crime and Policing Act 2014, which is the most recent legislation for ASB, introduced a series of different definitions for different purposes. These definitions are:

- 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; and

- conduct capable of causing housing-related nuisance or annoyance to any person. (“housing-related” means directly or indirectly relating to the housing management functions).

Managing Anti-Social Behaviour

Responding to Reports of ASB

The Group will make it easy to report ASB and we have adopted a range of methods to ensure we are accessible to all customers.

We will:

- respond to high risk incidents of ASB within 1 working day; and
- respond to all other reports of ASB within 5 working days

Case Management

We will provide complainants with a named Officer and/or case reference number.

As part of the initial assessment, we will establish if the complainant(s) are a repeat victim of ASB and consider this in any response. We will also review any potential vulnerability and the risk of harm to the complainant by completing a vulnerability matrix. Further risk assessments will then be completed throughout the case in accordance with the ASB procedure. We will also complete a vulnerability matrix for respondents where appropriate.

An initial action plan will be agreed with complainants, taking into account the outcome of the vulnerability matrix and further action plans will then be completed as and when appropriate until case closure. Referral and signposting to support agencies will always be considered and completed where available and appropriate. A referral to our Safeguarding Team may be made depending on the outcome of the vulnerability matrix and any changes of circumstance throughout the duration that the case is open.

Multi-Agency Partnership Working

The Group recognises that the responsibility for tackling ASB is not the sole responsibility of one agency, although the role of the Group could be critical. Successful and effective management and prevention of ASB depends on the freedom to exchange information between different organisations and the willingness to tackle issues in partnership in line with GDPR guidelines.

We will participate appropriately in local area partnerships and protocols with a view to addressing issues at a local level.

Information Sharing and Confidentiality

Any information provided to us in respect of ASB will be treated in the strictest confidence and will not be used or shared for any other purpose without the consent of the person who has provided it. However, there are certain circumstances where these principles might not apply, for example in cases of Safeguarding.

Roles and Responsibilities

Legal responsibility for the Anti-Social Behaviour Policy is held jointly by:

- Longhurst Group Chief Executive; and
- Executive Director of Housing Services

Operational responsibility for the Anti-Social Behaviour Policy is held by the Director of Housing Services.

The Housing Management Teams will manage cases of ASB in accordance with the ASB Policy and Procedure with the advice and support of the Legal Enforcement Team.

The Director of Housing Services will have responsibility for leading on any legal actions and for reviewing and monitoring performance against the ASB policy and procedure.

Monitoring, Evaluation and Review

We will monitor our performance in managing ASB through regular case management audits and reports.

This Policy will be reviewed every three years. In addition, it will be reviewed:

- following information suggesting that the Policy is not effective;
- to reflect any service enhancements; and/or
- following the introduction of relevant new legislation, regulations or guidance.

Equality and Diversity

The Group is committed to E,D&I and such will make reasonable adjustments to the policy to recognise, accommodate and support individual needs, where needed.

The Group is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out our duty with positive regard for the following protected characteristics; Age, Disability, Race, Gender Reassignment, Sex, Sexual Orientation, Religion or Belief, Marriage and Civil Partnership and Pregnancy and Maternity.

Summary of Local Variations

None.

PART THREE

Appendices

- A. Issues that could constitute ASB
- B. Policy Approval Control
- C. Policy Development Plan

Appendix A – List of Issues That Could Constitute ASB

Issues that could constitute ASB include (this is not an exhaustive list);

- Noise nuisance
- Verbal abuse/ harassment/ intimidation/ threatening behaviour
- Hate related incidents (based on race, sexual orientation, gender, disability, religion, age, etc)
- Littering or Fly-tipping
- Vandalism/ graffiti/ other deliberate damage to property or vehicles
- Using or dealing drugs/ substance misuse
- Alcohol related
- Domestic abuse
- Physical violence
- Misuse of communal areas
- Garden nuisance
- Nuisance from vehicles
- Pets and animal nuisance
- Criminal behaviour