



Anti-Social Behaviour Policy

1.0 Purpose and scope

We are committed to supporting and demonstrating empathy towards residents experiencing anti-social behaviour (ASB). This policy sets out how we aim to tackle ASB in a responsive and proportionate manner. This policy also sets out a clear definition of ASB and outlines what measures we take to:

- Investigate reports of ASB in partnership with specialist agencies where appropriate
- Take action to stop ASB where there is sufficient evidence
- Support all residents to sustain their tenancy.

This policy applies to all residents, their household members and their visitors.

2.0 Definitions

Anti-social behaviour covers a wide range of activities that have a negative effect on the quality of community life and has many causes; it is defined as:

‘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’.¹

Examples include but are not limited to:

- Nuisance behaviour such as swearing and fighting
- Littering
- Animal-related problems such as dog fouling
- Selling and using drugs
- Violent and criminal damage
- Vehicle-related nuisance such as abandoned vehicles

¹ [Anti-Social Behaviour, Crime and Policing Act 2014 - Explanatory Notes \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/12/section/1)

Housing-related nuisance means behaviour that directly or indirectly relates to or affects our housing management function to carry out day-to-day activities and the strategic management of our homes.

ASB case review is a mechanism for victims of persistent anti-social behaviour to request that relevant bodies undertake a case review. Relevant bodies include local authorities, the police, health providers and providers of social housing (such as NHG). A case review would entail the relevant bodies sharing information in relation to the case, discussing what action has previously been taken, and collectively deciding whether any further action could be taken. Any individual, community or business can make an application for a case review, and the relevant bodies must carry out a case review if the threshold is met. Our threshold is persistent ASB for six months without an acknowledgement or any course of action.

3.0 Residents' obligations

We are clear about the standard of behaviour we expect from our residents before they sign an occupancy agreement with us. Whether unintentional or deliberate, they must not commit, or allow their family or visitors to commit, acts of

ASB towards other residents, people in the local area, or towards our staff or contractors. We stress that if ASB arises, it may lead to action being taken against the resident.

Any unacceptable behaviour towards staff is dealt with in accordance with our [unacceptable behaviour policy](#).

To keep our communities safe, residents should always report ASB to us in the knowledge that we will be as discreet as possible in handling the case. Should a case go to court, information might have to be disclosed and the customer will be informed of this in advance.

Where a crime has been committed, we encourage victims and witnesses to report it to the police. We will support victims by signposting them to agencies who will work with them to take action. We will consider using the full range of civil and legal remedies against perpetrators, including injunctions and possession proceedings and the use of mandatory grounds where applicable.

4.0 Preventative measures for ASB

We understand the distress that ASB can have on communities, and we aim to prevent it from occurring by:

- Ensuring that residents are aware of what constitutes anti-social behaviour, which is specified in occupancy agreements
- Conducting regular inspections of the estates that we manage and promptly reporting repairs that compromise the security of a building
- Carrying out a sensitive let where we recognise that a resident may be at risk of harm if they move into a property

Referring cases to [Calm Mediation](#) services where we believe it will de-escalate the case.

5.0 Dealing with ASB effectively

ASB covers a variety of activities that impact individuals differently and a wide range of responses are required to tackle it effectively. We balance enforcement action and intervention with support for residents who request help sustaining their tenancy. We record and evidence all actions taken to investigate and manage the ASB case.

5.1 Responding to reports

On receiving a report of ASB, we aim to contact the customer within one working day and offer to visit them within five working days. Our initial response is to investigate and monitor any risk. If a crime has been committed, we advise the customer to contact the police.

In determining the seriousness of the ASB and what the proportionate action would be, we consider the nature of the ASB, the frequency of incidents and the impact that the behaviour is having on the customer and the wider community.

We empathise with the detrimental impact any type of ASB and persistent ASB can have on a customer and ensure this is reflected in our management of risk and communication with the customer.

We complete a risk assessment with the customer that is clear and realistic about potential outcomes. During the case, we keep the risk assessment up to date, for example, if we need to interview the perpetrator or if the ASB has increased. We are clear about the timescales involved and we develop an action plan with the customer, choosing from a toolkit of different actions and providing them with information on agencies who might be able to offer additional support.

On some occasions, the alleged perpetrator may report an incident involving the customer. We adopt the same approach when responding to allegations about a the customer who made the initial report.

5.2 Early intervention

The aim of our initial intervention is to stop the problem behaviour. The intervention we use varies according to the nature of the ASB. Early intervention tools include risk assessments, mediation, warning and acceptable behaviour contracts.

5.3 Enforcement action - tenants

We consider legal action where there is sufficient evidence of a tenancy agreement breach. Eviction is only considered either in exceptional circumstances or where all other interventions have failed. As appropriate, we make use of legal notices, injunctions, mandatory possession, and discretionary possession. This does not apply to leaseholders.

5.4 Enforcement action – leaseholders and owners

Where leaseholders and owners are victims of ASB we will consult the terms of the lease to consider what action can be taken against the perpetrator and seek legal advice as required. Where there is evidence that a crime has been committed, this would likely be considered a breach of the lease and options, including forfeiture, will be considered. Alternatively, an injunction to remedy the breach might be sought.

5.5 CCTV and GDPR

Where we have CCTV footage that may show ASB incidents, we will not share this information with residents or third parties without liaising with the police. This is in accordance with GDPR UK and our data protection policy.

Where a resident uses a mobile device to record a neighbour committing ASB, we will not be able to act on this information as it is an infringement on the rights of the person being recorded. However, the resident should share the recording with the police, who may be able to use the recording as part of their investigation.

6.0 Multi-agency and partnership working

We recognise that any one agency alone may not be able to resolve ASB in communities. We adopt a multi-agency approach to preventing and tackling ASB and offer the police and the local authority support when they are able to take action.

We work in partnership with agencies at both the strategic level, for example on crime and disorder reduction partnerships, and at operational levels, for example with local police.

We support our residents by asking police safe neighbourhood teams to increase patrols in particular areas.

We co-operate fully with the ASB case review process to help resolve cases of ASB.

Where we are made aware that social service intervention is needed, we contact the relevant service, whether adult social services, children's social services or mental health services, to find out whether they are aware of the resident(s) or household members. Where applicable, we work with the relevant social services and mental health services.

We will share information with third party agencies where victims have consented, in accordance with our data protection policy.

7.0 Addressing individual needs

In writing this policy we have carried out an assessment to ensure that we are considering equality, diversity and inclusion.

Our ASB procedure provides staff with guidance on how to respond to the individual needs of residents and factor these into the risk assessment and action plan, for example, by providing more or less regular updates.

Similarly, we recognise that the individual needs of a perpetrator can be the reason why they are causing ASB. In the first instance, we will ensure that the victim and/or perpetrator are offered the support and resources they need.

Some examples of how we factor individual needs into the risk assessment are provided below:

- Detrimental impact on an existing condition: for example, the mental health of customers can be detrimentally impacted by ASB.
- Safety: ASB may pose a higher risk to safety to some individuals, including children or people with a learning disability. We follow our safeguarding policy where such concerns arise.

- New health impact: We are mindful of the negative effects that ASB may have on the physical wellbeing of victims, for example by increasing stress and anxiety levels.

To request a copy of the assessment, please contact us at policy@nhg.org.uk

8.0 Recording, reporting and sharing information

We record all ASB cases. Personal or sensitive data will be processed in line with the Data Protection Act 2018 (as amended) and our own privacy policy.

Staff must ensure all cases of ASB are recorded and monitored effectively on our online systems to ensure appropriate action is taken based on information provided by residents and agencies.

This data is collected to:

- Increase understanding of who is experiencing ASB
- Tailor services according to the needs of our residents
- Identify performance issues and make improvements to ensure best practice is provided for those experiencing ASB

9.0 Closing the case

After a report of ASB has been investigated, we draw it to a close. A case may be closed where:

- An investigation has been concluded, appropriate action has been taken and no further incidents have occurred over a given period (this will vary depending on the nature of the case); or
- We are unable to gather sufficient evidence to enable us to take any action.

We consult the customer before proposing to close a case and explain our reasons for doing so. We listen to any reasons they give us as to why the case should not be closed. Where we are informed of a new ASB case, we will open a new case referring to the previous ASB history.

10.0 Reference

- Anti-social Behaviour, Crime and Policing Act 2014
- Equality Act 2010

Document control

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Approval date	October 2022
Effective date	21 March 2023
Approved by	Policy Group
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Version Control

Date	Amendment	Version
02.01.2019	New NHG policy	1.0
29.01. 2021	COVID statements added	1.1
21.03.2023	Clarified different approach to enforcement action against tenants and homeowners; new section on CCTV and GDPR; new section on health and ASB	2.0
03.08.2023	Community trigger replaced with ASB case review	2.1
26.02.2024	Added statements around demonstrating empathy toward customers experiencing ASB; merged 5.3 Tenancy Support with 7.0 Addressing Individual Needs	2.2