

Anti-Social Behaviour (ASB) Policy

Linked strategies	Live Proud Live Safe
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Policy Owner	Head of Housing and Neighbourhoods



1 Policy Statement

- 1.1 Greatwell Homes' strives to create high quality living environments for our customers. We recognise that, left unchallenged, Anti-Social Behaviour (ASB) will have a detrimental effect on our customers lives, and the reputation of the neighbourhoods that we manage.
- 1.2 Greatwell Homes takes an uncompromising stance against ASB and will work with our customers and partners to act quickly and decisively wherever possible.
- 1.3 We will adopt a 'risk based' approach to tackling ASB, ensuring that our customers' needs are met, and resources are deployed effectively.
- 1.4 We will ensure that the needs of complainants and witnesses are at the heart of what we do, and prioritised accordingly
- 1.5 We will be professional, courteous and objective in our actions.

2 Scope

- 2.1 This policy applies to our customers living in the following tenure types provided by Greatwell Homes;
 - Protected Tenancy
 - Assured Tenancy
 - Assured Shorthold Tenancy
 - Shared Ownership Tenancy
 - Rent to Buy / Rent Plus
 - Market Rent
 - Leasehold
- 2.2 In addition, this policy will apply to staff and contractors working for Greatwell Homes, living in one of our properties under one of the tenure types specified above.
- 2.3 Incidents of domestic abuse are not covered in this policy and are covered by our separate Domestic Abuse Policy.

3 Definition of ASB

3.1 We will use the definition of ASB outlined in section 2 of the 'ASB, Crime and Policing Act (2014) which states.

- (a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
- (b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) Conduct capable of causing housing related nuisance or annoyance to any person

By 'housing related nuisance' we mean conduct that affects Greatwell Homes' management of its homes and neighbourhoods.

3.2 We recognise that ASB relates to the way it makes people feel, rather than a specific action. What one person believes to be a mild annoyance might be perceived by someone else to be extremely serious. Therefore, we will 'risk asses' each case to ensure that our approach and response is in keeping with the complainants' requirements.

3.3 Types of behaviour we may consider to be ASB include.

- Criminal behaviour
- Drug Related Activity (such as the possession or supply of illegal drugs)
- Using our properties for illegal or immoral purposes
- Verbal or Physical Abuse (including physical violence)
- Hate related incidents.
- Threatening behaviour.
- Rowdy or inconsiderate behaviour.
- Noise nuisance.
- Vandalism or Graffiti.
- Street drinking
- Rowdy or inconsiderate behaviour
- Nuisance from Vehicles (such as revving engines or racing)
- Littering or fly tipping.
- Garden nuisance
- Misuse of communal areas
- Criminal behaviour

This list is not exhaustive.

3.4 For the purposes of this policy, we have also listed types of behaviour that we may not consider to be ASB. These include.

- Neighbour disagreements (unless these have an impact on the wider community)
- Household noise, such as doors closing, noise from household appliances such as vacuums and washing machines (at reasonable times)
- Cooking smells
- DIY (during reasonable hours)
- Noise from children playing (unless this includes verbal abuse or threatening behaviour towards others)
- Inconsiderate parking (unless this causes damage, blocks disabled or emergency access or presents a safety concern)
- Children falling out with each other
- Noise from walking on laminate or concrete flooring
- Dogs barking (unless this is linked to possible neglect or at unreasonable hours)
- Cat littering

This list is not exhaustive, and where we do not consider the matter to be ASB, we will provide appropriate advice to customers on how to resolve the matter themselves.

4 Policy Principles

4.1 Opening a case

4.1.1 When we open a case, we will always assess the severity of the behaviour (risk to complainant) and will use the following categories.

- Category A) we will respond to the complainant in one working day
- Category B) we will respond to the complainant in three working days
- Category C) we will respond to the complainant in five working days

4.1.2 When opening a case, we will always offer a face-to-face meeting with complainants to discuss.

4.1.3 We will always complete an action plan, in agreement with the complainant, to contain what we will do (and what complainants will do) to resolve the issue, and within what timescales.

4.1.4 Whenever we open a case, we will send written acknowledgement to the

complainant to confirm (this might be via e-mail, text message or letter)

4.2 Case Management

- 4.2.1 We will retain clear records of all ASB cases for the purposes of evidence gathering, monitoring and quality checks.
- 4.2.2 All records will be kept electronically and will be kept up to date.
- 4.2.2 All cases of ASB will be reviewed regularly by a senior officer to ensure compliance with policy and procedure and to ensure positive progress in case management, including regular contact with the complainant.

4.3 Case Closure

- 4.3.1 We will always seek to close ASB cases with the complainant's agreement.
- 4.3.2 All case closure requests will be authorised by the Support Services Manager
- 4.3.3 If we believe no more can be done to resolve a case, and the complainant disagrees then the case will be reviewed by the Head of Housing and Neighbourhoods who will either direct the case officer to carry out additional actions or provide written feedback to the complainant as to why we cannot take the matter further
- 4.3.4 When we evict customers for ASB we will make use of 'sensitive lettings' to minimise the risk of issues being repeated.
- 4.3.5 We will contact complainants one month after case closure to seek feedback and check the problem has been resolved.

5 Taking Action to tackle ASB

5.1 Preventative Action

- 5.1.1 We understand the importance of prevention to make our neighbourhoods safe, high-quality places to live. Preventative actions we will take include.
 - Completing effective 'pre-tenancy' checks with local authority partners
 - Make use of probationary tenancies
 - Support local authority partners to exclude those applicants where there is evidence of criminal or anti-social behaviour

- Clarify tenancy conditions relating to crime and ASB as part of the initial tenancy sign up
- Making use of 'good neighbour agreements' on new developments
- Employing 'secure by design' principles with new developments
- Applying 'local lettings policies' where appropriate

5.2 Informal Action

5.2.1 We will always try to resolve ASB cases by making use of informal actions such as.

- Mediation
- Warning Letters
- Meetings
- Acceptable Behaviour Contracts
- Good neighbour Agreements
- Parenting Contracts
- Extending Probationary Tenancies

5.2.2 However, we recognise that informal responses may not be the right approach in every case, and we will base our actions on the circumstances of each incident.

5.2.3 Our 'informal' actions will be proportionate to the behaviour exhibited and to the risk of further harm to the complainant and witnesses

5.3 Formal Action

5.3.1 We will make use of the full range of 'tools and powers' available to us to tackle ASB where informal actions prove unsuccessful, or where the behaviour exhibited is serious enough to warrant formal action as a first response. Such actions include.

- Proceedings to end the Tenancy (including the absolute ground 7a)
- Civil Injunctions
- Closure Orders (in partnership with the Police)
- Criminal Behaviour Orders (in partnership with the Police)
- Community Protection Warnings (in partnership with the local authority)
- Community Protection Notices (in partnership with the local authority)
- Noise Abatement Notices (in partnership with the local authority)

5.3.2 On occasions, other agencies may have the best tool to address the problem and in cases such as these we will work in partnership with other agencies to support the action they take.

6 Court Action

6.1 We recognise that taking a customer to court for a breach of tenancy is a serious matter, which may result in them losing their home.

6.2 To ensure the action we take is both reasonable and proportionate, we will complete a proportionality assessment prior to referring a case to court. The proportionality assessment shall set out any customer vulnerabilities, and how we have managed these.

6.3 All referrals to court for enforcement action shall be signed off by a relevant manager and head of service.

7 Fly tipping

7.1 We recognise that fly tipping is an issue that can blight our communities, making them appear unkempt which can in turn feed other forms of crime and anti-social behaviour

7.2 We commit to tackling fly-tipping and other forms of environmental issues in partnership with the Police and Local Authority Environmental Health teams.

7.3 We will consider pro-active interventions, such as good neighbour agreements, community clear up operations and ensuring customers are aware of their responsibilities at sign up meetings.

7.4 We will also consider enforcement action against customers, where incidents of fly tipping are evidenced. Such action may include recharges or formal action under the tenancy agreement.

8 Partnership Working

8.1 We are committed to working in partnership with other agencies to respond effectively to ASB in the neighbourhoods we manage.

8.2 These include other enforcement agencies, such as the Police, Local authorities and other Registered providers of housing.

- 8.3 We will also work with support providers, such as social services, education providers, healthcare professionals (including mental health services) and the Fire service.
- 8.4 We will work in partnership with other agencies as part of the following multi-agency forums including.
- Community Safety Partnership Meetings
 - Problem Solving Practitioners Group
 - Multi-Agency Risk Assessment Conference (MARAC)
 - Multi Agency Public Protection Arrangements (MAPPA)
 - Child Protection Meetings / Child in Need Meetings
 - Hate and Anti-Social Behaviour Action Group (HASBAG)
 - Monthly Environmental Protection Meetings
 - Cuckooing Forum (a form of crime in which drug dealers take over the home of a vulnerable person in order to use it as a base for drug dealing)
 - Ad-hoc meetings to discuss individual cases
- 8.5 We will ensure that any customer wishing to activate the 'Community Trigger' is advised how to do so. We will participate fully in case reviews where the community trigger is activated and will follow any recommendations arising from any such review.

9 Implications for Customers

9.1 Customer expectations

- 9.1.1 We set expectations for all our customers, (and their visitors) relating to ASB, and these are set out in the relevant clause or covenant in their tenancy or lease agreement.
- 9.1.2 In addition to this we expect our customers to be responsible pet owners, and clear up after their pets and prevent them from being a nuisance to others

9.2 Victim and Witness Support

- 9.2.1 We will offer practical support to complainants of ASB.
- 9.2.2 We will provide a single point of contact for complainants; this will be specified on the action plan.
- 9.2.3 The case officer will initiate and provide regular updates to complainants

according to the timescales agreed in the action plan.

9.2.4 Regular updates will be provided, even if there is little or no progress to report

9.2.5 We will always work to manage expectations by agreeing actions that are achievable and realistic.

9.3 Support for Vulnerable Perpetrators

9.3.1 We recognise that some complainants and perpetrators of ASB may be vulnerable and have specific support needs.

9.3.2 Where this is suspected we will make use of a proportionality assessment to evidence compliance with The Equalities Act (2010) and signpost individuals towards specialist support agencies who may be able to help before taking a case to court.

9.3.3 We will raise a safeguarding concern wherever necessary, to protect both witnesses, complainants, and perpetrators.

9.3.4 Where perpetrators of ASB have support needs that contribute to or result in ASB we will seek to address the support needs before undertaking formal action.

9.3.5 In cases where a perpetrators behaviour presents a high risk of harm to customers or members of the public, and requires 'without notice' application to court, we may take this action first in order to protect customers and members of the public before assessing support needs.

9.3.6 Where a vulnerable perpetrator refuses to engage, stops engaging or accepts support but the behaviour continues then we will then consider formal action to resolve the matter

10 Information Sharing and Confidentiality

10.1 We will work in compliance with the Data Protection Act (1998) and the Guide to General Data Protection Regulation (2018)

10.2 We will do this by.

- Setting up information sharing protocols with relevant partner agencies
- Ensuring information is stored effectively (restricting access where

appropriate)

- Only sharing information where there is a legal obligation to do so
- Seeking permission from complainants and witnesses to share information with other agencies

10.3 There may be times when we cannot preserve confidentiality, even when this has been requested. For example, where a criminal offence has been committed, where someone is a risk to themselves or others, or where there is a safeguarding concern.

11 Service Development

11.1 We are committed to continuous improvement in our ASB service and will evidence this by;

- Staff training for all frontline staff tasked to deliver the service
- Regular case supervision meetings
- Seeking customer feedback
- Consulting customers prior to making changes to services
- Internal audits of the service
- Customer Scrutiny Panel (CSP) reviews

12 Performance Management

12.1 We will make use of the following performance indicators to monitor and report on the effectiveness of the service. These will be reported regularly to our Board and Executive Management Team (EMT)

- Customer Satisfaction with ASB case handling
- Total number of cases opened and closed in the year
- Case closure by reason
- Cases closed using court proceedings
- Closed cases by severity
- Average time taken to close a case
- Number of cases open at the end of the financial year

13 Responsibility and Decision Making

13.1 The tables below illustrate the structure for responsibility and decision making in relation to this policy

Person Responsible	Scope
Head of Housing and Neighbourhoods	<ul style="list-style-type: none"> • Overall responsibility for ensuring that all activities are undertaken, and all performance measurements are met
Housing and Income Services Manager	<ul style="list-style-type: none"> • Responsible for the day-to-day application and adherence to this policy
Support Services Manager	<ul style="list-style-type: none"> • Responsible for the day-to-day application and adherence to this policy • Responsible for authorising all legal actions • Responsible for agreeing case closure
Community Safety Officer	<ul style="list-style-type: none"> • Responsible for managing 'high risk' cases, and cases requiring formal enforcement through the courts • Responsible for providing advice, supervision and support to neighbourhood housing officers with regards to case management.
Neighbourhood Housing Officer	<ul style="list-style-type: none"> • Responsible for day-to-day management of all ASB cases on their patch in line with policy and procedure • Responsible for meeting all OPI and KPI targets • Responsible for providing first class witness and victim care • Responsible for logging all cases of ASB onto the Orchard system and ensuring all actions and records are kept up to date

Community Safety Assistant	<ul style="list-style-type: none"> • Responsible for Collating customer satisfaction data, and advising the support services manager of any trends or patterns • Responsible for liaising with solicitors and the courts to ensure that cases are progressed in a timely fashion and prompt payment is given where costs are incurred.
Customer Services Advisor	<ul style="list-style-type: none"> • Responsible for providing initial advice to customers who contact us to complain of ASB • Responsible for ensuring all initial queries are passed to NHO's as work items on the Orchard system

14 Review

14.1 This Policy will be reviewed by the Head of Housing and Neighbourhoods (HHN) every three years or in line with changes in legislation, (whichever is sooner)

14.2 Changes to this policy will be presented to EMT for approval.

Associated Policies	Associated Procedures
	ASB Procedure
Allocations Policy	Management Move Procedure
Safeguarding Policy	Safeguarding Children and Adults at Risk Procedure
Domestic Abuse Policy	Domestic Abuse Procedure
Tenure Policy	Tenancy Fraud Procedure