



<b>Policy title:</b>	Anti-Social Behaviour Policy		
<b>Scope:</b>	Housing		
<b>Policy owner &amp; job title:</b>	Alun Bragg, Neighbourhood Services Manager		
<b>Approver:</b>	Executive Team		
<b>Date:</b>	<b>March 2018</b>	<b>Review Due Date:</b>	30/11/2021 <b>Under review</b>

## POLICY SUMMARY

Aspire Housing’s vision is to “build better futures.” We believe that all customers are entitled to quiet enjoyment of their home and their local environment. We work to ensure that, as far as possible. Aspire Housing will not tolerate Anti- Social Behaviour (ASB); domestic abuse or hate incidents and will ensure that victims are supported out of the harm caused and all reports are thoroughly investigated.

We promote safer neighbourhoods through partnership working; community engagement and prevention initiatives with customers, the wider community, and our partners in the Newcastle Partnership and the other community safety partnerships in the areas where we work.

Aspire Housing protects and supports staff who work alone to minimise risk to colleagues, clients and those who may be affected by customers who breach their tenancy conditions or cause Anti-social behaviour.

We value equality, diversity and inclusion and ensure our customers and staff are treated with dignity and respect. We deliver this by providing safe, supportive and welcoming environments for staff, customers and visitors; by being a genuinely inclusive organisation; by integrating equality and diversity in all aspects of our day-to-day activity and supporting customers and staff to access information in a way that suits individual needs.

We have a duty to protect our customers’ personal information and take this extremely seriously. Information held about anti-social behaviour cases will be dealt with in accordance with the One Staffordshire Information Sharing Protocol; the Data Protection Act 2018, the General Data Protection Regulation from May 2018 (and any subsequent Acts) and the Human Rights Act 1998.

### Associated Policies & Procedures:

- Tenancy Policy
- Allocation Policy

## 1. POLICY STATEMENT

### Describing ASB, hate incidents and domestic abuse

Aspire use the definition of ASB in the Anti-Social Behaviour, Crime and Policing Act 2014:

- 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

Our tenancy conditions mean our customers have agreed that they, members of their household and their visitors will not cause a nuisance or annoyance or disturbance or act in a way that is likely to cause nuisance or annoyance or disturbance to any other resident, their guest or visitors.

Our customers have also agreed not to permit, incite or cause any type of violence or threat or violence anywhere against any other person living with them or make anyone who lives with them leave the home because of domestic violence.

Building relationships with the communities and neighbourhoods where we work is critical to meeting our customers' needs generally and to managing ASB specifically. Our approach enables us to work with customers as either victim or perpetrator and equally with other customers who may be either the cause of or victim of ASB involving our customers.

#### ***Hate Incidents***

Aspire positively supports customers who are victims of hate incidents and will take action, with partner agencies as appropriate, against perpetrators of hate incidents; whether customers, employees, agents or third parties.

A hate incident is any incident perceived by the victim, or any other person, to be motivated by prejudice or hate. This includes direct or indirect discrimination against a person's disability; gender; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion and belief; sexual orientation and age.

Aspire recognises the risk of radicalisation of young people from all communities. We are committed to the PREVENT agenda, and will work closely with our partners to ensure our staff are fully trained and understand how to identify radicalisation risks, the effects it has on our communities and actions required to tackle these issues.

#### ***Domestic Abuse***

**Domestic abuse** is any incident of threatening behaviour, violence or abuse between adults, regardless of gender or sexuality, who are or have been in a relationship together or

between family members. It includes physical, sexual, emotional, psychological or financial abuse; using threats of violence against another person within the household; using abusive or insulting words or behaviour and doing anything which interferes with the peace, comfort, state of mind or convenience of another person.

We recognise that domestic violence includes violence towards women, men, between partners in gay and lesbian relationships, between siblings and between children and parents. While child abuse is a separate issue, we recognise that children can be silent victims of domestic abuse.

We reassure victims that confidentiality and personal safety will be maintained; discuss immediate housing options and tenancy rights; discuss contact with the police, medical services and support agencies and groups, and give advice without placing unnecessary pressure on the victim. This includes referrals to domestic abuse support services based in our areas of operation and the Multi Agency Risk Assessment Conference (MARAC) a partnership forum supporting at risk victims of domestic abuse.

### ***Legislation and Regulation***

Aspire Housing will keep up to date with new legislation; revisions to the Neighbourhood and Community Standard and changes to Government policies and guidelines. This Policy has been written having considered the following legislation and statutory guidance:

Anti-Social Behaviour, Crime and Policing Act 2014  
Equality Act 2010  
Crime and Disorder Act 1998 (as amended 2002)  
Housing Act 1996  
Human Rights Act 1998  
Data Protection Act 2018  
Neighbourhood and Community Standard  
Reform of anti-social behaviour powers statutory guidance for frontline professionals 2014 (updated 2019)

### **Partnership working**

We take a problem-solving approach and recognise this can only be achieved through effective partnership working to prevent and manage ASB, domestic abuse and hate incidents. This includes:

- Joint Operations Group provides an opportunity to work strategically with partners to identify trends; hotspots; operational issues and funding to prevent and manage ASB in the areas where we work. The Group will develop action plans to provide a coordinated response to specific issues and work together to deliver them.
- Weekly Hub case management meetings supporting victims; addressing issues relating to potential and actual perpetrators; problem solving and improving understanding and coordination between agencies.

- The Great Neighbourhood Get Together Days, involving customers and partners, such as Police, Fire Service, schools and local councillors, in improving the area where they live and share information about current issues around ASB and environmental crime.
- Joint visits with Police Community Support Officers and related community based cooperation with the Police
- Estate walkabouts are carried out regularly throughout the year, with customers, residents and local councillors and providing an opportunity to identify environmental and other ASB hotspots

### **Preventing ASB**

Aspire's approach is prevention, and quickly tackle ASB when it is reported. This includes:

Supporting the exclusion of applicants on the housing register where there is a history of crime or anti-social behaviour

Explaining their rights and responsibilities as tenants to new customers when they sign for their tenancy

Working with other agencies to design out crime in our neighbourhoods

Consulting with customers and local authorities on the introduction of local lettings plans to ensure neighbourhoods are sustainable

### **Supporting Victims and Witnesses**

We recognise the real courage that it can take for customers to report ASB, hate incidents and domestic abuse, particularly in severe cases which can lead to court action. Victim and witness support is a key element to Aspire's approach and is achieved by these commitments:

- Making it easy for customers to report ASB complaints by providing a range of options; in person or by telephone via letter, email; our website; the Noise App and from an advocate acting on behalf of a customer
- Assessing the risk of harm from ASB and the support requirements of victims followed by appropriate referrals to the Wellbeing Service; partner agencies and the Hub.
- Translating written materials on request and providing a translator where required
- Managing cases proactively by using all available options open to Aspire and our partners to deliver a resolution which is satisfactory to victims and this may include an understanding the case can go no further.

## Managing ASB

We will take an impartial and non-judgemental approach and maintain confidentiality.

A variety of both supportive and enforcement tools will be used to deal with perpetrators of ASB with possession proceedings as a last resort.

We will prioritise our response by assessing the risk of harm and the type of ASB. High risk and severe ASB cases will receive a response within 24 hours and all other ASB within a maximum of three days.

**High Risk and Severe ASB** - This is any situation where a victim risk assessment shows a high risk of harm irrespective of the type of ASB, as well as behaviour that is targeted at a victim and is serious in nature.

**Non-Severe Anti-Social Behaviour** - This is where the risk of harm to the victim is assessed as moderate as well as behaviour, intentional or otherwise; which is persistent and continuous but does not present an immediate threat to property or personal safety.

**Environmental ASB** - This is behaviour, which has a detrimental impact on the look and feel of the neighbourhood, due to the nature of these incidents it is often difficult to identify the alleged perpetrator.

Case management will centre on the customer making the complaint. It is important that the investigations are carried out in a sensitive and empathetic manner. Customers will be provided with a named officer and action plans will be discussed and agreed on a minimum of a monthly basis.

The first response to reports of ASB will be to encourage customers to resolve problems themselves. For example, if there is no danger of violence, we can advise customers how to approach their neighbour to discuss an issue together.

Aspire Housing will encourage customers to engage in mediation prior to any legal action being considered.

Unless a high risk of harm is assessed we will not become involved in low level nuisance such as children playing ball games, disputes about parking, cooking smells and one off parties.

We will speedily and fully investigate reports of anti-social behaviour before deciding appropriate action. Our focus will be on resolving the problem having regard to the full range of tools and legal powers available. We will take action that is proportionate to the case. We will be realistic with customers about the action we can take and provide timely updates.

We recognise that every reported case of ASB is different so that the level and type of intervention taken by Aspire Housing depends on the circumstances of the individual case.

Legal actions such as injunctions, notices of seeking possession and evictions are a remedy of last resort which are fully dependent on witnesses providing reliable and consistent

evidence such as diary sheets. Courts will want to be satisfied that all other methods have been given serious consideration or have been tried and failed. All criminal matters will be reportedly firstly to the Police for action.

Customers with a live Section 21 notice will be refused Improvements or non-essential repairs to their properties, except where there are serious health and safety issues in relation to the condition of the property.

Customers with a live Section 21 notice will not be eligible for a transfer or mutual exchange.

### ***Responsibilities of Employee***

Aspire will constantly review our approach to dealing with ASB to ensure that we try new approaches and initiatives. We will ensure that our approach meets current legislative requirements.

We recognise the potential risk of violence and aggression towards staff in performing their duties could be high in certain instances. To reduce risk our staff are required to follow health and safety procedures, particularly when working outside of the office. This includes adherence to our policy on lone working.

## **2. RESPONSIBILITY OF ASPIRE**

### **Monitoring**

1. The Neighbourhood Manager will report annually on the effectiveness of the policy, and will ensure that new legislation and good practice are considered. The policy will be fully reviewed every three years.

### **Consultation and community engagement**

2. Aspire has followed the actions required in our Community Engagement Plan in the preparation of this policy by consulting the Customer Forum. We will work with customers via Community Groups and Resident Associations to develop the service and ensure it meets customers' expectations.