

	Committee: n/a
	Executive Team: June 2020
	Pages: 7
DIRECTORATE / DEPARTMENT: Operations / Housing AUTHORS: Acting Senior Housing Services Manager, Regional Manager	Issue Date: June 2020
	Location: Intranet
	Review Date: June 2023
Anti-Social Behaviour (ASB) Policy	

1. Purpose or Aim

- 1.1. This policy outlines saha's intentions and principles in addressing anti-social behaviour (ASB), hate crime and domestic violence issues within its services and ensures that both the victim and perpetrator are supported throughout the process.
- 1.2. saha recognises that everyone is entitled to their own lifestyle, but only when it does not unreasonably interfere with the rights and quality of life of others. The Organisation understands that its residents may have a different interpretation of what constitutes anti-social behaviour, and it respects that opinion.
- 1.3. saha has a robust approach and will work with other agencies including the Police, Local Authorities and Social Services to ensure that the full range of criminal and civil remedies is used to tackle and prevent incidents in and around its properties. The Association will investigate allegations in an appropriate manner in accordance with its procedures and it will keep accurate records of incidents. Where possible saha will use its growing digital engagement to improve its responsiveness.

2. The following documentation and legislation can be relied on to supplement this policy:

- 2.1. Occupancy Agreements Policy
- 2.2. Safeguarding Adults Policy
- 2.3. Safeguarding Children and Young People Policy
- 2.4. Lone Working Policy
- 2.5. Health and Safety Policy

- 2.6. Customer Feedback & Complaints Policy
- 2.7. Data Protection Policy
- 2.8. Equality, Diversity and Inclusion Policy
- 2.9. Anti-Social Behaviour Crime and Policing Act 2014
- 2.10. Protection of Harassment Act 1997
- 2.11. Protection of Eviction Act 1997

3. Introduction

- 3.1 This policy outlines saha's commitment to protecting its residents at risk of abuse or neglect and addressing ASB, hate crime and domestic violence issues within its general needs, supported and agency managed services. saha recognises that it has a moral obligation and legal duty of care to children, young people and adults at risk of abuse or neglect across all of its services and will work with them, their families, carers and support networks to manage this.
- 3.2 saha's purpose is to provide affordable, high-quality social housing and support for some of the most vulnerable people in society without discrimination. To achieve this, saha needs to ensure that it manages and enforces the occupancy agreements made between itself and its residents with care. All cases of ASB will be investigated thoroughly, effectively, consistently and with compassion and fairness, and appropriate action will be taken when the conditions of the occupancy agreement have been breached.
- 3.4 saha will ensure that this policy is applied fairly and consistently and it will not directly or indirectly discriminate against any person or group of people because of their race, religion or belief, sex, disability, age, sexual orientation, transgender identity, marital and civil partnership status, pregnancy and maternity or any other grounds set out in its Equality, Diversity and Inclusion Policy.
- 3.5 saha is committed to complying with its data protection obligations, and to being concise, clear and transparent about how it obtains and uses personal information.

4. Scope

- 4.1 This policy details saha's commitment to the welfare and safeguarding of its residents and those people it comes into contact with, and how it works closely with the resident, their family and other agencies as appropriate to respond to anti-social behaviour.

5. Objectives

- 5.1. The objectives of this policy are to:

- Explain saha's strategic approach and convey its commitment to providing safe and secure homes and neighbourhoods
- Demonstrate saha's commitment and determination to tackling ASB, hate crime and domestic abuse issues effectively
- Outline saha's support for victims
- Highlight saha's commitment to partnership working to maximise its effectiveness
- Sustain tenancies where possible across all housing streams
- Comply with all relevant legislative obligations

6. Definitions

- 6.1. According to the Chartered Institute of Housing, ASB is: "Behaviour that unreasonably interferes with other people's rights to the use and enjoyment of their home, community and environment".
- 6.2. saha's customers describe ASB as fights and arguments in the street, dog fouling or excessive barking, overgrown and untidy gardens, dumped rubbish, lack of care for homes, theft and other crimes, drug and alcohol abuse and drug dealing, graffiti, abusive or threatening behaviour and language, loud or frequent noise disturbance and bad or thoughtless parking. This is not an exhaustive list.
- 6.3. There are a number of different definitions of domestic violence. In Women's Aid's view, domestic violence is physical, psychological, sexual, emotional or financial violence that takes place within an intimate or family-type relationship and forms a pattern of coercive and controlling behaviour. This can include forced marriage and so-called 'honour' crimes. These are sometimes identified as 'DASH' incidents.
- 6.4. Police generally define hate crime as crimes that are targeted at a person because of hostility or prejudice towards that person's disability, race or ethnicity, religion or belief, sexual orientation, transgender identity or alternative subculture. The crime can be committed against a person or property. A victim does not have to be a member of the group at which the hostility is targeted. In fact, anyone could be a victim of a hate crime.

7. Policy Statement:

- 7.1. saha wants to ensure that it addresses local needs, and recognises that this sometimes requires solutions that are arrived at through engagement with local stakeholders. The implementation of saha's policies may, therefore, be varied at a local level but will integrate the intentions and principles within this policy.
- 7.2. When opportunities arise, saha will endeavour to work proactively to raise awareness of initiatives within communities that contribute towards improved community cohesion and minimise incidents.

- 7.3. saha will deal sensitively and confidentially with all parties. Interviews and conversations about personal and sensitive matters will be carried out in private. The Association will treat all reports of ASB confidentially in line with its policies and provide updates on the progression of cases. When a case is considered closed, saha will seek feedback from the parties involved.
- 7.4. The choice of steps to take will depend on the nature and seriousness of the situation but may include a range of voluntary undertakings, tenancy enforcement and civil action. Action that leads to someone losing their home will be avoided where practically possible.
- 7.5. saha is committed to ensuring staff have the knowledge and confidence to identify and investigate incidents and reports of ASB and therefore will receive training and access to appropriate internal and external resources.
- 7.6. saha recognises that, when experiencing incidents, residents may need additional support whilst the matter is being addressed, and that without the cooperation of its residents, its ability to address issues is seriously hampered; therefore it will seek to ensure that it is accessible and approachable.
- 7.7. saha aims to prevent incidents through communicating its expectations from the application stage. saha's occupancy agreements including excluded and protected licence agreements prohibit activities that are likely to interfere unreasonably with others and it regularly promotes examples of positive community cohesion within communications with residents.
- 7.8. saha will:
 - 7.8.1. Where possible, improve existing developments to reduce the potential for incidents to arise
 - 7.8.2. Design new developments to 'secure by design' standards
 - 7.8.3. Be sensitive when letting its properties within the scope of its allocations policy using starter tenancies where appropriate
- 7.9. saha takes a victim oriented approach. This involves its actions centring on the safety and security of the victim(s) and the agencies working together around them. Working in partnership with relevant agencies, including representation on multi agency panels, saha will better ensure the safety of individuals and both strengthen and broaden the remedies available.
- 7.10. Problematic behaviour may be the result of one or more diverse needs and vulnerabilities. saha will have due regard to its duties under the Equality Act in dealing with perpetrators where incidents may be linked to a disability or other "protected characteristic", as defined by that Act.
- 7.11. ASB can be both integral to, and an indicator of hate, domestic violence and/or abuse and saha will seek to address this through this policy, its Safeguarding policies and its Equality, Diversity and Inclusion Policy. In addition, it will provide staff with additional guidance and resources.

7.12. Where saha becomes aware of, or suspects hate crime or hate incidents, domestic violence or abuse it will, in conjunction with appropriate stakeholders:

- seek to protect lives
- identify risks using recognised national models
- provide assistance to criminal investigations and prosecutions
- make use of civil laws to provide protection for victims
- facilitate victims to remain in their home wherever practical and desirable
- agree where necessary confidential methods of communication with the Association

7.13. If a history of being subject to hate crimes, domestic violence or abuse is disclosed by an applicant or resident, the Association will consider additional security measures over and above those outlined in the lettable standard.

7.14. In making judgements about allegations of hate, domestic violence and abuse incidents saha recognises that it is the behaviour and its impact on the recipient, not the intention of the perpetrator that is important.

7.15. Hate motivated or offensive graffiti will be removed within 24 hours.

8. Agency Managed Services

8.1. Where saha engages Managing Agents to provide services on its behalf, it will work to ensure they provide services that are at least comparable to its own and that their approach is in line with its approach, as set out in this policy. Unless secure email/communication is used, saha will provide agency managed services with the Information Sharing Form as a protection within GDPR.

9. Monitoring and Reporting

9.1. All cases of anti-social behaviour are recorded and managed through the saha Incident Management Database.

9.2. Cases will be recorded and monitored to ascertain if problems have been resolved to the victim's satisfaction.

9.3. KPIs are based on the total percentage of cases closed, the percentage of cases closed successfully and the percentage of cases closed without a resolution.

10. Implementation

10.1. saha will ensure that the implementation of this policy is proactively inclusive across all activities with particular attention towards the protected characteristics as defined in the Equality Act 2010 whilst also being mindful

towards the inclusivity of other vulnerable and marginalised groups that may be affected.

11. Roles and Responsibilities.

- 11.1 All staff have a responsibility to report and record incidences of ASB. All staff, management, board members, volunteers and contractors of the Association are duty-bound to report any concerns relating to suspected or alleged abuse or neglect immediately to their Line Manager, or other relevant member of staff as soon as practicably possible in line with safeguarding procedures.
- 11.2 Where staff are required to lone work whilst investigating cases of ASB they must take reasonable care of their own safety and not expose themselves to unnecessary risk.
- 11.3 Where the conditions of service delivery or its associated tasks require staff to work alone to investigate reports of ASB, both the individual staff member and their Line Manager have a duty to assess and reduce the risks which lone working presents.

12. Policy Review

- 12.1. We will review the operation of this policy in consultation with our residents, staff and relevant stakeholders (where appropriate), in light of current best practice, amending the policy where required.

Document History Log

Author	Date			Version	Approval	
	Created	Revised	Expiry		By	Date
HoBSI	22/04/2009			1.0	Mon Committee	22/04/2009
HoBSI		29/10/2012	October 2015	1.1	Management Review	29/10/2012
HoBSI / BSO	11/11/2015	15/07/16	July 2018	1.2	EMT	26/07/2016
BSO	Merger	03/03/17		1.3		
Acting Senior Housing Services Manager / Business Assurance Officer / Regional Manager		June 2020	June 2023	1.4	EMT	23/06/2020
BAM	Legislative reference	April 2021	June 2023	1.4		

Equalities Monitoring Form

Name of Policy: Anti-Social Behaviour Policy		Carried out by: Business Assurance Officer		Date: June 2020
Protected characteristics	Impact <i>(Positive, Negative, Neutral)</i>	Protected characteristics	Impact <i>(Positive, Negative, Neutral)</i>	
Age	Neutral	Disability	Neutral	
Sex	Neutral	Race	Neutral	
Religion or Belief	Neutral	Sexual Orientation	Neutral	
Marriage / Civil Partnerships	Neutral	Pregnancy / Maternity	Neutral	
Gender Reassignment	Neutral			

If Negative impact is identified, please complete [The Full EMF](#), including mitigations of risks section, and return to BSI Team.

Privacy Impact Assessment Form

Privacy Data Impacting Policy:	Timescales for Retaining Data:	Notes:
Policy Review	Every 3 years	Unless there is a legislative change / best practice update required
Personnel, Training	6 Years After employment Ceases	
Tenancy Records	Duration of the tenancy-3-6 Years Post Tenancy	
Support Plans	Duration of the tenancy	