



# **Anti-Social Behaviour Policy**

## 2020 – 2025

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# 1. Statement of intent

Broadacres vision is to be the best rural housing association in the Country.

The aim of our anti-social behaviour (ASB) policy is to ensure that the communities in which we work are secure and a peaceful place to live. We believe everyone has the right to live peacefully in their home and the surrounding communities without suffering disturbance or nuisance from others. All customers, including household members and visitors, must respect the privacy and quiet enjoyment of other residents.

ASB often requires a collaborative approach to resolve, we will work with our full range of partners to act when our customers are affected by the behaviour of people who are not our customers.

We will treat all members of our communities fairly and equally, ensuring any action taken is appropriate, proportional and reasonable in the circumstances.

We believe in order to be effective in our approach we need to have a balance of prevention, enforcement and supportive measures in place and we will work with our partners to deliver these using the early interventions and powers available in the most effective way.

This policy sets out Broadacres aims to help prevent and deal with any complaints of ASB

# 2. Aims

This policy supports our Anti-Social Behaviour (ASB) Strategy. It will work to do this by focusing on the three key areas of the corporate plan.

## Great People

- Encourage partnership working to respond to reports of ASB.
- Encourage staff to respond with individual responses to problems.
- Work to empower staff to deal with problems through expert knowledge and training.
- Encourage staff to build preventative and supportive measures into all responses to ASB.
- Develop and maintain partnerships to address ASB in our communities.

## **Great Customer Experience**

- Produce individual, person centred action plans to respond to reports of ASB.
- Put victims at the centre of our response to ASB, providing support where needed.
- Encourage and support neighbours to resolve issues amongst themselves where appropriate.
- Work with partners as well as our own support services to support both victims and perpetrators where appropriate.

## **Great places**

- Support communities with diversionary activities for young people.
- Support partnership working to problem solve in communities where appropriate.
- Support community initiatives to provide support and community-based activities.
- Play an active role in building and maintaining effective partnerships.
- Ensure the highest level of housing, estate and property management.

## **3. What is anti-social behaviour (ASB)?**

The Anti-Social Behaviour Crime and Policing Act 2014 defines ASB as:

- (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.

## **4. Examples of anti-social behaviour (ASB)**

ASB includes but is not limited to:

- Verbal abuse, harassment, threatening behaviour and intimidation.

- Domestic abuse.
- Sexual abuse.
- Hate related incidents.
- Criminal activity.
- Noise nuisance.
- Vandalism and damage to property.
- Pets and animal nuisance.
- Intimidating gatherings of people in public places.
- Misuse of communal areas including rubbish dumping.
- Litter, rubbish, and fly tipping.
- Nuisance from vehicles including abandonment.
- Damage to property including graffiti and vandalism.
- Prostitution.
- Using and selling drugs.
- Running illegal businesses.

ASB is not:

- Noise from children when playing.
- Household noise such as opening and closing doors.
- One off parties or celebrations.
- Minor personal differences such as fall outs between children and family disputes

## **5. How to report anti-social behaviour**

Broadacres understands that incidents of ASB can happen at any time and we need to ensure we are approachable, responsible and accessible. We therefore make the reporting of incidents as easy as possible for our customers.

ASB can be reported:

- Over the telephone.
- Through our online reporting system on our website or App.
- In person to any member of staff.
- In writing, or via email.
- Via a councillor or MP.
- Via a community group or neighbourhood watch.
- Via the use of diary sheets for persistent issues.

We will accept anonymous complaints of ASB even though it can be difficult to conduct a full investigation without knowing the identity of the complainant. This will be explained to the complainant and they will be asked how they want to be advised of the outcome of the investigation.

Complaints of serious ASB will be responded to within 1 working day. Serious ASB can result from any of the following, but is not limited to:

- Use of violence.
- Damage to property or person.
- Serious abuse.

All other reports will be responded to within 3 working days. Initial contact with the complainant will usually be made over the phone, and at this point the Housing Officer will agree the next steps, this may include a formal ASB report and an action plan being created. The Housing Officer will be the point of contact for the complainant and will keep them regularly updated.

We recognise the anxiety and distress that ASB can cause, and we will take appropriate and proportionate measures to ensure complainants feel safe, secure and able to report incidents. We will keep in regular contact with complainants to prevent them feeling isolated.

The majority of cases involving ASB can be dealt with by way of warning or early intervention. In cases where these steps have been tried but further formal action is required, we will use the full powers afforded to us to deal with the issues being reported. In cases where complainants are frightened to give evidence in court due to fears of reprisals against them, we will explore other methods of evidence collection.

## **6. What we expect from our customers**

We expect our customers to behave appropriately and not to commit or allow their family, household members, visitors or pets to commit acts of ASB.

These expectations are clearly set out in the tenancy agreement we have with our customers and are fully explained to all new customers when they sign their agreement.

The terms of the tenancy agreement with Broadacres Housing Association clearly state that:

**‘You, those living with you and your visitors, must not engage in any antisocial behaviour or any form of harassment which affects any person in the neighbourhood. This includes residents, visitors, our staff, board members, contractors and other people acting on our behalf’.**

‘Antisocial behaviour means causing, or being likely to cause, alarm, distress, nuisance or annoyance to any person or causing damage to anyone’s property. Harassment includes causing a person alarm or distress. Physical or verbal actions may be regarded as antisocial behaviour or harassment’.

In particular, you, those living with you and your visitors must not:

- fail to control your pets properly or allow them to foul or cause damage to other people’s property;
- cause or allow noise at the property (this includes, but is not limited to, playing televisions, music systems, radios and musical instruments, and using DIY tools) in such a way that it causes or is likely to cause a nuisance or annoyance to neighbours or persons in the neighbourhood;
- allow visitors to your house to be noisy or disruptive;
- use your house, or allow it to be used, for illegal or immoral purposes;
- vandalise or damage our property or any part of the shared areas or neighbourhood;
- leave rubbish in your garden, yard or unauthorised places;
- harass, abuse or assault any person in the house, or neighbourhood, for whatever reason (this includes a person’s race, colour, sex, sexual orientation, disability, age or religion)

In addition, we positively encourage all residents to:

- Take responsibility for minor, personal disputes with neighbours and to try and resolve any such problems themselves in the first instance in a reasonable manner.
- To always respect other people.
- Cooperate with Broadacres when seeking to resolve problems.

## 7. Actions

The vast majority of ASB reports may not require legal action and will be effectively resolved through early intervention by our team.

Early intervention may include some of the following:

- Verbal and written warnings.
- Home visits.
- Mediation.
- Acceptable behavioural contracts.
- Parenting contracts.
- Joint home visits with the Police.

If we are unable to resolve cases through non legal remedies, we will commence legal proceedings. We will not tolerate any distress caused to others by those involved in persistent nuisance and ASB. We will use the full range of enforcement actions available to effectively tackle the behaviours of offenders and will seek to enforce the tenancy conditions wherever necessary.

We will respond promptly and proportionately to any incidents of ASB, whilst offering support to victims and keeping complainants and the wider community regularly updated as appropriate.

We will work with other agencies and local communities to pursue the full range of enforcement action against persistent nuisance offenders. These can include:

- Possession order.
- Injunctions.
- Demotion orders.
- Undertakings.

We will use, where appropriate, audio recording, video recording or photographic equipment for residents who are willing to help gather evidence and we will ensure the appropriate legislative requirements are met.

In accordance with the Anti-Social Behaviour Crime and Policing Act 2014 we will consider applying to court for mandatory possession if 1 of 5 ASB conditions are met. Where we intend to rely on the mandatory ground for possession the tenant will have the right to request a review of this decision.



We will also work with our partners to support their use of available powers such as:

- Noise abatement notices.
- Criminal behaviour orders.
- Civil Injunctions.
- Public space protection orders.
- Closure powers.
- Community protection notices.
- Dispersal powers.

## **8. Support**

We aim to create sustainable communities and an environment where victims and witnesses feel confident and safe in coming forward to report ASB.

We will do this by:

- Dealing with their reports promptly.
- Training our staff to deal with initial reports in a sensitive and customer focused manner.
- Carrying out risk assessments and referring them to appropriate support services where necessary.
- Managing their expectations and being realistic about what we can and can't do.
- Involving them in discussions about the action we can take to resolve their issue.
- Communicating with them by their preferred method and at agreed times.
- Providing good, regular, up to date information on the progress of cases; and
- Helping with re housing, in high risk cases, where we are satisfied it is reasonable and necessary to protect the individual.

We also have specialist staff trained to give advice and support to those with learning difficulties, mental health issues or are suffering from domestic abuse. We are an accredited partner of the Domestic Abuse Housing Alliance.

In addition, all our staff are trained on safeguarding and we have dedicated safeguarding responders, who are qualified to at least level 2 in safeguarding, to provide help and support to our customers and advice and assistance to their colleagues.

Our Tenancy Enforcement Coordinator is a member of our Safeguarding Panel, this enables the organisation to ensure that victims are given the right safeguarding help and safeguarding referrals are made where considered appropriate.

## **Partnership working**

Broadacres recognises that partnership working is vital if we are to deal effectively with the incidents of, causes and consequences of ASB within our communities.

The Anti-Social Behaviour Crime and Policing Act 2014 introduced new tools and powers for dealing with ASB. We will work with our partners to use these powers proportionately to reduce nuisance behaviour.

Alongside our partners such as the Police and local councils we also work with the Fire & Rescue Service, North Yorkshire Horizons, Clinical Commissioning Groups, Youth Justice Service, local schools and community groups.

Each District has a Community Safety Hub and Broadacres is a key member of both the Safer Hambleton Hub and Safer Richmondshire Hub. These Hubs oversee the Prevent Agenda and deal with the day to day management of community safety in each area. The Prevent Duty ensures that key partners are working to ensure that they identify anyone who may be at risk of radicalisation and that local groups are designed to monitor and review community tensions, Hate Crime reporting and community engagement at a local level.

At the time of writing (September 2020) the Government is considering options for the future reorganisation of local government in North Yorkshire. Broadacres will realign our partnerships in line with the responsible successor organisations.

We will work with our partners to help provide diversionary activities for young people. An example of this is the work we do with Community Works, an independent charitable organisation which delivers services to young people and adults across North Yorkshire, to coordinate three youth clubs in Northallerton, Thirsk and Stokesley.

The Anti-Social Behaviour, Crime and Policing Act 2014 provides for the community trigger. The community trigger is a mechanism for victims of persistent ASB to request that relevant bodies undertake a case review. A case review entails relevant bodies sharing information in relation to a case, reviewing action taken and collectively deciding whether any further action

is required. Relevant bodies include local authorities, the Police, registered social landlords and health providers. Where considered appropriate we will advise victims that they can activate the community trigger.

## **9. Service standards**

Our service delivery standards for dealing with complaints of ASB are:

- All complaints of nuisance will be treated seriously and thoroughly investigated.
- We will respond to all incidents within 3 working days and serious incidents within 1 working day. Serious ASB includes but is not limited to:
  - Use of violence.
  - Damage to property or person.
  - Serious abuse.
- All cases will be risk assessed as part of developing the action plan.
- If the complaint is not something that Broadacres can deal with under our anti-social behaviour policy, complainants will be told at the start of the process. For example,
  - Noise from children when playing.
  - Household noise such as opening and closing doors.
  - One off parties or celebrations.
  - Minor personal differences such as fall outs between children and family dispute.
  - Parking disagreements.
- Investigations will try to identify, and interview all interested parties.
- Where possible evidence will be obtained from third party witnesses such as the Police, environmental health officers or other professional witnesses.
- We will comply with all relevant legislation.
- We will close cases if after monitoring the situation there are no further incidents of ASB brought to our attention. A closure letter will be sent within 5 working days of the case being closed. The case will be reopened if there are any new instances of ASB or new relevant evidence is provided.

## **10. Key Performance Indicators**

Broadacres will monitor performance against the following key performance indicators:

- Percentage of customers satisfied with how their ASB complaint was handled.
- Percentage of customers satisfied with how we kept them up to date with progress.
- Percentage of customers satisfied with the outcome of their complaint.
- Percentage of ASB complainants contacted within 3 working days.
- Percentage of ASB complainants reporting serious ASB contacted within 1 working day.

Where relevant information is available, we will benchmark our performance against other organisations to ensure the highest standards of service delivery.

## **11. Consultation and Review**

We will consult our key stakeholders, partners and customers on this policy including our Customer Liaison Group.

We will undertake a review of this policy whenever there are any relevant changes to legislation, regulatory requirements, case law or good practice that would impact on this policy. As part of our commitment to continue this improvement we will monitor satisfaction levels and use customer feedback to improve our service. We will also provide regular performance reports to our Leadership Team, Performance and Improvement Panel and our Customer Experience Committee and an annual summary for the Board of Management and our other key stakeholder groups.

## **12. Responsibility**

Overall responsibility for this policy sits with Broadacres Board of Management and our Senior Leadership Team. It is the responsibility of all our employees and those working on our behalf to ensure that their work is carried out in line with this policy and any related procedures.

## **13. Publicity**

We will publicise this Policy in a number of ways including on our website. We will make this Policy available in different formats to suit the needs of our customers.

## **14. Legal and Regulatory Framework**

We will ensure that this policy complies with all relevant legislation and takes account of best practice.

- Housing Act 1996
- Crime and Disorder Act 1998
- Anti-Social Behaviour Act 2003
- Equality Act 2010
- Anti-Social Behaviour Crime and Policing Act 2014
- Modern Slavery Act 2015
- General Data Protection Regulation (GDPR) - Data Protection Act 2018
- Regulatory Framework for Social Housing in England and Wales – Homes England (formerly Homes and Community Agency)

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