

Anti-Social Behaviour Policy

Operating area:	Housing		
Approved by:	Group Leadership Team		
Effective date:	15 July 2020	Next review date:	14 July 2022
Author & responsible officer:	Head of Housing		
Status:	Approved	Version:	0.1
Audience:	Residents, staff		
Supersedes:	Anti-Social Behaviour Policy 2018		

1. Introduction

1.1 This Policy set's out the views of the Board of the Industrial Dwellings Society (1885) Ltd. In respect of Anti-Social Behaviour (ASB) IDS use the definition as outlined in Section 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 to define 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 or residential premises, or

c) Conduct capable of causing housing-related nuisance or annoyance to any person

1.2 The persons that the conduct may cause ASB or neighbour nuisance to, can include anyone who has a right to live in a property owned or managed by the landlord or any person living in any other property within the locality (of an IDS property (e.g. owner occupiers, tenants of other landlords) and anyone else acting lawfully in such property or in the locality for example working or using local facilities.

2. Policy statement

2.1 The Board of IDS intends that those who reside in our properties – regardless of tenure – shall have the right to do so peacefully and without being exposed to behaviour that is inconsistent with that aim.

2.2 With this in mind, IDS will:

- Take seriously all reports of nuisance and ASB
- Respond to reports quickly in an effective, sensitive and consistent manner.
- Take appropriate action to stop neighbour nuisance and ASB of any kind against those responsible e.g. acceptable behaviour agreements, possession orders, injunctions, eviction.
- Actively work with residents and other agencies to tackle persistent and serious problems of ASB

2.3 IDS will base our response on the following principles:

- Anyone has a right to their chosen lifestyle but this must not unreasonably interfere with the quality of life of others
- There should be tolerance and respect for the needs of others
- IDS have a duty under the Anti-Social Behaviour, Crime and Policing Act 2014 to ensure that the right of all tenants to live within their home without experiencing anti-social behaviour, from persons not of the household, is upheld.

2.4 IDS recognises the adverse effect and personal distress caused to people's lives by ASB and adopt a "customer-centred" approach that encourages the reporting of ASB. Accordingly, IDS are committed to tackling ASB responsively and effectively and in accordance with legal and regulatory requirements. Working closely with partners we will ensure a balanced, customer centered, proportionate approach to ASB.

2.5 We will build and maintain partnerships to ensure appropriate support and safeguards for victims of ASB and will work to promote empowerment, resilience and tolerance where necessary to ensure IDS only intervene where it is appropriate to do so.

2.6 In order to aid our effective delivery of this service to our residents we have devised a full procedure for our officers to work from to ensure that reports of ASB are dealt within the terms of this policy.

2.7 Behaviour IDS does **not** consider to amount to ASB or situations where we are unable to intervene include (but not limited to):

- Lifestyle differences
- Day to day living sounds from neighbouring properties such as footsteps up and down the stairs, washing machines, vacuuming, doors opening and closing, etc
- Noise from children when playing in or near their homes
- Ball games
- 'dirty looks'
- DIY during reasonable hours
- 'tit for tat' disputes where there is no evidence of ASB concerning any party

3. Prevention and early intervention

3.1 IDS understand the importance of preventing ASB before it starts and wish to build safe neighbourhoods. We will work in accordance with local authority allocations policies as well as our own Allocations Policy and will give consideration to refusing to house applicants who have previously committed serious ASB.

3.1 We will ensure tenants are aware of their responsibilities at sign up with regard to ASB and the consequences should the tenancy be breached. They will be asked to read and sign any Good Neighbour Agreements.

3.2 We will respond quickly to reports of ASB and seek to resolve reports at the first point of contact, identify any root causes and preventing escalation to promote long term resolutions.

3.3 We will consider ASB when designing estate improvements and when we build new developments where this is within our scope.

3.4 We will proactively use diversionary activities with local partners in tackling ASB

4. Toolbox of action

4.1 We will ensure our staff are fully aware of tools and powers available to them and understand how to use them effectively and appropriately. Our emphasis will always be on resolving the ASB whilst keeping people in their homes. Possession action will therefore always be the last resort.

4.2 We will respond to all reports of ASB within five working days. Serious ASB, such as hate related incidences, domestic abuse or acts of physical violence will be responded to within one working day.

4.3 In the majority of cases, face to face contact, letters and informal mediation will result in the successful resolution of reports. However, we can also utilise the following when appropriate:

- Acceptable Behaviour Agreements
- Civil injunctions
- Possession action
- Criminal Behaviour Orders (in partnership with the Police)
- Community Protection Notices (in partnership with the local authority)
- Closure Notices/Orders (in partnership with the Police)

4.4 Any reporter of ASB will be made aware who their Resident Service Officer dealing with their report is and how to contact them. It will be agreed with them how they would like to be communicated with and expected time frames.

4.5 We will risk assess reports of ASB to ensure that we are doing everything we can to protect victims from harm and further incidences. We understand that not all victims want action to be taken against the perpetrators. As our policy is around a victim centred approach we will always take into consideration the wishes and feelings of the victim, unless there is a safeguarding concern which cannot be unaddressed.

4.6 We will record and investigate all reported cases of ASB and proactively engage with alleged perpetrators to understand the reasons for their behaviour.

4.7 We understand that some victims and perpetrators of ASB may be vulnerable and will work with all parties to ensure they have access to appropriate support with partner agencies by referring and signposting to specialist organisations.

4.8 IDS will consider any rights the perpetrator may have in terms of the Equality Act 2010 or Human Rights Act 1998, where appropriate to do so, when deciding proportionate means of achieving a legitimate aim.

5. Access and accountability

- 5.1 We will ensure there are a variety of ways that ASB can be reported to IDS. We will take reports over the phone, online and in writing.
- 5.2 We will ensure that any person wishing to activate the Community Trigger is advised how to do this and we will participate in any case reviews where this has been activated.
- 5.3 We will ensure our procedures are in line with the Data Protection Act 2018 and General Data Protection Regulations.
- 5.4 We will set targets and measure satisfaction in relation to ASB complaints
- 5.5 Through tenant participation and involvement, we will ensure that residents are able to shape the direction of the service.

6. Roles and responsibilities

- 6.1 **The Board** of IDS will seek evidence from the Corporate Management Team that this policy is applied through the routine reporting of key performance information and the scrutiny of minutes of collective meetings with residents. Additionally, it may require, from time to time, an internal audit of the ASB procedures associated with this policy to seek assurance that it is being appropriately applied.
- 6.2 **The Senior Management Team** will ensure that procedures are drafted and implemented which fully reflect the Board's intentions as reflected in this Policy.
- 6.3 Additionally, the SMT will ensure that appropriate staff are properly trained in the application of this Policy and its associated procedures and that performance information is provided to the Board and any Committee with terms of reference that make specific reference to either audit or ASB.
- 6.4 The Service Leaders will ensure day to day implementation of the policy and regularly monitor cases, specifically those that are still open 8 weeks after the initial report
- 6.5 The Resident Services Co-ordinations will carry out the day to day implementation of the policy by recording and investigating all reports of ASB.

7. Review

- 7.1 This policy is due to be reviewed every two years, or if there is a significant legislative or organisational change which requires a review. The next review date, subject to the above caveat, therefore will be before June 2022