

## **ANTI-SOCIAL BEHAVIOUR (ASB) POLICY**

### **1. Introduction**

1.1 This policy sets out the principles to our approach to dealing with antisocial behaviour (ASB).

1.2 This policy aims to:

- Prevent and wherever possible reduce the amount of ASB experienced by our clients.
- Make certain we take a victim-centred and robust approach to tackling ASB, including prevention and intervention.
- Ensure we target support to the most severe cases and high-need clients, whilst offering early intervention to ensure clients can self-manage lower-level issues that they may be experiencing.
- Ensure all clients are treated in a fair and equitable manner. We will work in partnership with communities and local organisations to ensure we tackle discrimination, promote equal rights and treat our clients according to their needs.

1.3 This policy has links to some of our other policies, and we have considered these links when reviewing the policy. This policy should be read in conjunction with the following:

- Safeguarding Adults policy
- Safeguarding Children policy
- Surveillance (CCTV) policy
- Complaints policy
- Hoarding policy
- Equality, Diversity and Inclusion policy

### **2. Scope**

2.1 This policy applies to all CLHT clients.

2.2 We encourage all clients to respect each other's lifestyles and be mindful how their lifestyle may affect others. Sometimes these lifestyles can clash but are not considered a breach of licence, or as behaviour not compatible with living in a



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neighbourly manner, or enjoyment by others of their

which might affect the quiet homes.

Examples include:

- Minor disagreements between neighbours.
- Noise from everyday living, such as one-off playing of music, white goods.
- Lifestyle differences, such as cooking odours, minor or irregular car repairs, putting rubbish out on the wrong day or reasonable noise occurring at unusual times because of different working patterns.

2.3 We have a separate policy for safeguarding, but recognise some reports of noise nuisance, disturbances or ASB could be an indicator of potential safeguarding / abuse or safeguarding issues, e.g. complaints about arguments could be related to abuse. We will ensure that any potential indicators are actively considered as part of our ASB investigation and raise alerts in line with our safeguarding policies.

2.4 Third parties such as contractors working on our behalf are required to meet our policy commitments.

### **3. Key terms and definitions**

3.1 Antisocial behaviour (ASB) as defined in the Antisocial Behaviour, Crime and Policing Act 2014 is:

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

Housing-related means directly or indirectly relating to the housing management functions of a housing provider.

3.2 Noise nuisance, as defined by the Environmental Protection Act 1990 must meet one of the following criteria:

- Unreasonably and substantially interfere with use or enjoyment of a home or other premises.
- Injure health or be likely to injure health.



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#### 4. Our approach

- 4.1 ASB can be reported to us in different ways, including in person, in writing, over the phone, by email and on our website.
- 4.2 ASB should be reported to CLHT as soon as possible after the event to allow for a timely investigation. ASB should be reported within one calendar month of when the event happened.
- 4.3 We will publicise our approach to tackling ASB in leaflets, client newsletters and our website.
- 4.4 We will provide colleagues with training, clear guidance, policies and procedures so that they can deal effectively with cases of ASB, use the appropriate enforcement tools, and are aware of the wider issues associated with ASB, including hate crime and safeguarding.
- 4.5 All clients who wish to report an incident of ASB will be assessed for their risk and vulnerability to ensure the appropriate level of support can be provided and any safeguarding issues are identified.
- 4.6 We will work in partnership and consult with clients, the wider public, statutory services, local authorities, Community Safety Partnerships, community groups, and other external agencies as necessary to tackle ASB in our and provide support to those with vulnerabilities.
- 4.7 We will respond to reports of ASB within two working days.
- 4.8 Where the prime responsibility and power to lead an investigation lies with another service, such as the police or the local authority, we will support the investigation and take any necessary supporting action.
- 4.9 We acknowledge that sometimes low level and repeated incidents of noise can have a serious impact on a person's life. We may consider it appropriate to take a tenancy management approach to remind residents of their responsibilities or take other preventative action. If the behaviour continues and we can evidence that it is ASB we may investigate in line with this policy. We will investigate noise nuisance where the noise is frequently excessive in volume and duration or occurs at unreasonable hours. It is reasonable to expect some level of noise from everyday life but if there is concern for someone's welfare this should be reported to CLHT.
- 4.10 We encourage clients to take responsibility for solving personal disputes between themselves where appropriate. This may include taking part in mediation.
- 4.11 We will use a range of preventative measures, early intervention, signposting to mediation services and legal action to tackle ASB. This includes the full range of tools and powers available to us as outlined in the ASB, Policing and Crime Act 2014. The methods used will be proportionate to the seriousness, impact and



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frequency of the behaviour, to those affected, and the support the case.

the level of risk that it poses evidence available to

4.12 We may consider a transfer to an alternative project for those assessed as at risk.

4.13 We will agree an action plan with the complainant and any witnesses and keep them informed of the actions we take. We will contact them when we close a case, giving our reasons for doing so.

4.14 We will close a case after investigation and appropriate action is taken and where:

- We consider all appropriate action has been taken in line with the action plan agreed with the client.
- There are no further reports for a period of 6 weeks (unless we have begun legal action or are gathering further evidence) or earlier if agreed with complainant.
- The client reporting the ASB fails to engage with us during the investigation.
- We have evidence that the nature of the report is unreasonable or due to vindictive intentions.
- No further action can be taken

4.15 We will inform clients who have reported ASB that we have closed the case by discussing the closure with them and where we are unable to make contact a letter or email is sent to the client advising of this. Where the report involves domestic abuse, we may choose to inform the reporting client in another way.

4.16 We will provide support and advice to victims and witnesses of ASB, and refer them to external agencies where appropriate.

4.17 We will offer support to anyone that agrees to give evidence in ASB cases.

4.18 We consider the possible vulnerability of both victims and perpetrators of ASB when deciding the intervention actions appropriate to dealing with each case. We recognise that perpetrators may not be deliberately causing ASB and indeed may be victims themselves. We work with local authorities and other agencies providing support to vulnerable people to obtain the appropriate support and achieve positive outcomes for our clients, including making behavioural changes or safeguarding individuals.



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4.19 We will take action against complainants for breach of licence agreement where we find complaints of persistent and ASB to be malicious, unfounded.

4.20 We will refer all crime, including threats or acts of violence, to the police.

4.21 We will deal with any ASB committed against our colleagues and contractors in line with our internal policies and duties as an employer.

4.22 We will share information with third parties where we have an information sharing protocol in.

place, there are safeguarding concerns, or we have a duty to do so for the purpose of crime prevention under the provisions of the Crime and Disorder Act 1998.

4.23 We will process personal data and information in accordance with the Data Protection Act 2018, UK General Data Protection Regulation and our Data Protection policy and procedures.

4.24 We will monitor the feedback we receive about how we manage and respond to cases of ASB and, to ensure a high standard of services.

## **5. Equality, Diversity and Inclusion**

5.1 We value diversity and promote equality, ensuring people are treated accordingly to their individual needs. This ensures that no person or other organisation is discriminated against on the grounds of race, colour, nationality, ethnic origins, sex, disability, sexual orientation, gender reassignment, marital or civil partner status, pregnancy, unrelated criminal activities, illness or any other matter that may cause a person to be treated with prejudice.

5.2 We will endeavour to ensure that services are delivered fairly and equally to all and to the highest possible standard. We provide all clients, prospective clients and other stakeholders with the information they require, in a format to meet their individual needs, using clear language which is easy to understand.