



CARE HOUSING ASSOCIATION ANTISOCIAL BEHAVIOUR POLICY

Implementation Date	06/09/2021
Reviewed	April 2023 by Rachael Kaminski (Operations Manager)
Last Committee Review Date	24/04/2023
Review Due	April 2026

1. Policy Objective

Care Housing Association (Care) aims to promote a safe and secure environment for our residents and will do all we can to prevent and resolve antisocial behaviour (ASB) and any form of harassment or hate behaviour. We are committed to a victim-centred approach and delivering an excellent service to stop ASB and create a culture of respect. We will treat people fairly and equally, ensuring that any action is reasonable and proportionate. We will work in partnership with key stakeholders to deliver these commitments and meet our responsibilities and corporate objectives.

Care's ASB practice is in line with the Statutory Guidance for Front Line Professionals for the Antisocial Behaviour, Crime and Policing Act 2014 and victims of ASB are at the heart of Care's response.

2. Key Legal and Regulatory Requirements

Care will provide its services as a Registered Provider and its responsibility to deal with ASB affecting its customers with due regard to the relevant provision of the following:

- Antisocial Behaviour Act 2003
- Antisocial Behaviour, Crime and Policing Act 2014
- The Crime and Disorder Act 1998
- The Human Rights Act 1998
- The General Data Protection Regulations and Data Protection Act 2018
- The Equality Act 2010
- The Freedom of Information Act 2000
- The Housing Act 2004
- The Regulatory Standards and associated guidance from the Regulator of Social Housing

This policy should be read in conjunction with Care's Antisocial Behaviour Procedure, Incident Policy and Procedure and Safeguarding Policy and Procedure. Tenants may also wish to view Care's easy read ASB document (see Appendix 1).

3. Defining ASB

The term antisocial behaviour can mean different things to different people, however Care considers antisocial behaviour to be:

- Conduct that has caused or is likely to cause harassment, alarm or distress to any person;
- conduct that that is likely to cause nuisance and annoyance to a person in relation to their occupation of residential premises;
- or conduct capable of causing housing-related nuisance or annoyance to any person.
(Antisocial Behaviour, Crime and Policing Act 2014)

ASB can be anything from low-level nuisance to serious violent or criminal behaviour. It includes behaviour that impacts negatively on our customers' quality of life in and around their homes, including those people visiting or working in or within the localities of Care's properties. This includes, although is not limited to, misuse of communal areas, late night noise nuisance, verbal abuse, violence or threats, criminal damage and vandalism, hate behaviour and ASB arising from alcohol or substance misuse. Some one-off incidents may be better recorded in line with Care's Incident Policy and Procedure, however incidents do not necessarily have to be repeated to be classed as ASB. See ASB Procedure for clarification of when a case should be opened.

4. Roles and Responsibilities

Care undertakes to ensure that its staff are competent and trained to deliver an effective service to customers in undertaking the investigation and resolution of ASB reports. Its staff will undertake thorough enquiries and work with those reporting ASB, keeping them well-informed and supported as required for the duration of the investigation.

Care's tenants all have support needs and could be considered vulnerable. Because of this, some reports of ASB may trigger a safeguarding report if abuse is suspected. In such cases Care will follow our Safeguarding Policy and Procedure and update stakeholders as appropriate.

Customers of Care will be supported when making reports of ASB, but in order to ensure an effective response, they are expected to provide the co-operation and level of information necessary for Housing Officers to investigate their reports. Care also expects its customers to be tolerant of other people's lifestyles and will not normally accept reports of behaviour or noise that are a reasonable part of everyday life. Examples of this include, but are not restricted to, activities within the home at reasonable times of the day such as talking, cooking, moving furniture, walking up and down stairs, using domestic appliances such as vacuum cleaners, washing machines and tools, gates being left open.

If a reporter is unhappy following a decision made in relation to this policy, the matter will be processed in line with Care's Complaints Policy.

5. Support

Care will provide a variety of accessible ways for its customers, colleagues and partner agencies to report ASB. A person reporting ('reporter') will be listened to, treated with respect and we will retain confidentiality where possible. Care will ensure that all reports are responded to in a timely manner, being effectively assessed based upon perceived risk and priority. Please see Care's ASB Procedure for further detail.

Reporters will be involved in the progress of the enquiry and kept informed on an agreed basis including the means, (in person, by telephone, email etc.) and how frequently and their views will be taken into account during the investigations. If a complaint is anonymous, the reporter cannot be responded to, however, as much of an investigation as is practicable will be conducted and a full record made.

We will ensure that where any vulnerability is identified on the part of any person involved in a report of ASB, we will work to try and ensure that they have access to the most appropriate support. Care recognises that problematic behaviour may be the result of complex needs so will seek to support the perpetrator and consult specialist agencies to address needs where appropriate.

Care will fulfil its legal obligations to participate positively should co-operation be required by Local Authorities as part of any review of an ASB case the Association is involved in under the formal ASB Case Review/Community Trigger (S.104 and 105 ASB Crime and Policing Act 2014).

6. Prevention and Early Intervention

Care asks about ASB history of nominated tenants and relevant mitigation plans before offering a tenancy. We also explain the tenancy terms, including around ASB, as part of the sign-up process. Some schemes may also ask tenants to sign up to 'house rules' or 'tenant charters' to help prevent ASB from occurring and hold tenants accountable for their behaviour.

Care's approach to managing ASB issues will always be to do so using appropriate and informal early intervention methods before consideration of any legal processes. There may however be infrequent circumstances where this is not an appropriate approach, such as where immediate and serious risk or threat is believed to be present, in which case, application of legal powers will be pursued as necessary.

7. Enforcement

Care recognises that there will inevitably be cases where warnings, mediation and working with other agencies may not be successful. In such circumstances, where sufficient evidence is available and alternatives have proven unsuccessful or are not appropriate because of risk or threat, legal enforcement action will be pursued where it is proportionate and necessary. We will apply the appropriate measure from the range of legal powers available to Care alone as the housing provider and also to the other agencies and partners that we will work with as necessary to take action against perpetrators.

8. Partnership Working

Care recognises that dealing with ASB is not the sole responsibility of any single agency. We will work closely within and across Local Authorities with all relevant agencies and strive to form strong working relationships with our partners to provide the most effective service for our customers.

9. Hate Crime, Equality and Diversity

Care is committed to respecting diversity in all aspects of our work and we will not tolerate any form of discrimination or hate crime.

We recognise that there is the potential for impact across the characteristics of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex or Sexual Orientation. Hate crime is ASB which targets someone with a perceived motive being prejudice towards a person's characteristics.

Where we are made aware of or identify customers with specific needs, we will be proactive in targeting our communication and support appropriately and consider any specific needs individually.

10. Information Sharing, Feedback and Review

As a Registered Provider, Care has a duty to consider sharing personal information with relevant agencies it works with in order to prevent and deal with cases of ASB. This is only undertaken in accordance with the principles of the General Data Protection Regulations 2018.

In line with Tenant Satisfaction Measures we will seek feedback about our handling of ASB cases and use this to improve. We will monitor the effectiveness and implementation of this policy on an ongoing basis and will formally review this policy every three years or as necessary dependant on legislative changes. The designated officer responsible for implementation and monitoring of this policy will be the Operations Manager.




APPENDIX 1 – Easy Read ASB Document

Antisocial Behaviour (ASB) is behaviour which upsets other people.



Remember: you are responsible for your own behaviour, as well as how your visitors and pets behave.

You and your visitors are not allowed to do things at your home that upset other people.

Examples of Antisocial Behaviour:

<p>Playing loud music</p>	 A cartoon illustration of a woman with long brown hair sitting at a desk in a room, typing on a laptop. The room is filled with musical notes and the word 'BOOM!' is written in a speech bubble, indicating loud music is playing.
<p>Banging or slamming doors</p>	 A black and white cartoon showing a person on the left looking towards a door. On the right, another person is slamming the door, with the word 'SLAM!' written in large, bold letters above the door.
<p>Loud shouting, screaming or swearing</p>	 A close-up photograph of a woman with long brown hair, her mouth wide open in a scream or shout, with a pained or angry expression on her face.

<p>Being aggressive or threatening people</p>	 A cartoon illustration showing a large, muscular man in a purple tank top and green shorts grabbing a smaller man in an orange shirt and blue pants by the collar. The smaller man has a distressed expression, and there are motion lines around his head, suggesting he is being pulled or threatened.
<p>Going into other people's rooms or flats without their permission</p>	 A rectangular sign with a red background and a black border. The top half of the sign has the words "PRIVATE PROPERTY" in bold, black, sans-serif capital letters. The bottom half has a white background with the words "NO ENTRY" in bold, black, sans-serif capital letters.
<p>Damaging property</p>	 A photograph of a window with a white frame. The glass pane is shattered, with a complex web of cracks and a large hole in the center. The window is set in a brick wall.
<p>Leaving rubbish outside or in shared areas</p>	 A photograph showing a large pile of various items and trash outside a brick building. There are several green and blue plastic bags, cardboard boxes, and other miscellaneous items scattered on the ground. A wooden pallet is visible under the pile.

<p>Throwing things out of windows</p>	
<p>Keeping noisy pets</p>	

Your Tenancy Agreement says that you must not upset your neighbours and that antisocial behaviour (ASB) is not allowed.

Care Housing Association has to make sure that we manage any ASB from or affecting tenants.

Consequences of ASB

Care Housing Association want all our tenants to be happy in their homes so sometimes we have to take action against ASB.

If you take part in ASB, these are some of the things that could happen:

<p>You could get a warning letter from your landlord</p>	
<p>You could have a warning meeting with your Housing Officer</p>	
<p>You could be told to re-home your pet</p>	
<p>You might have to pay for repairing damage</p>	

<p>You could be asked to sign a special agreement about your behaviour</p>	
<p>A police officer could come and speak with you about your behaviour</p>	
<p>You could have to go to court and the judge could decide extra rules you must follow</p>	
<p>If you do something very serious, or do less serious ASB for a long time, you may have to move out of your home</p>	

If you have any questions or would like a copy of the full ASB policy, please ask your Housing Officer.