

Anti-Social Behaviour (ASB) Policy

Scope of Policy

This policy sets out Platform Housing Group's (the Group) commitments to dealing with Anti-Social Behaviour (ASB) in the communities in which we work.

Applicability

The policy applies to all members of the Group.

1. Policy Statement

- 1.1 The Group recognises that everyone has a right to enjoy their own lifestyle, but only when it does not interfere with the rights and quality of life of other residents.

We also recognise that anti-social behaviour 'ASB' can have a detrimental effect that can seriously affect the lives of individuals and communities. It is also recognised that what may be perceived as 'low level', when targeted and/or persistent, can have a devastating impact on a victim's life. We are therefore committed to treating all reports of ASB seriously and will endeavour to take timely, effective and consistent action to tackle ASB at the earliest opportunity.

We, however, acknowledge that not everything reported can be deemed as ASB despite it being perceived as such. In these circumstances we would encourage customers to resolve their disputes amicably by communicating with each other to reach a mutually agreed resolution.

2. Context

- 2.1 ASB includes a range of nuisance and criminal behaviours which have a negative impact on others. Whether someone's actions can be classed as anti-social behaviour depends on the impact it has or could have on other people.

Behaviour that is more frequent or persistent is more likely to be considered as ASB. The type and intensity of the behaviour also matters.

There remains no singular definition of ASB which is commonly used. However, the Anti-social Behaviour, Crime and Policing Act 2014, the most recent legislation for ASB, introduced several different definitions for different purposes. These definitions are:

- 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 housing management functions).

Accordingly, anti-social behaviour will often include conduct which causes or is likely to cause nuisance or annoyance to others, or harassment or alarm or distress to others.

3. Aims and Objectives

- 3.1 The Group is committed where possible to reducing ASB and improving customers’ quality of life by partnership working in its communities. In doing so we aim to create safer, secure and clean neighbourhoods and to create sustainable communities. We will endeavour to work in partnership with other agencies to deter and tackle ASB in the neighbourhoods and communities where we provide housing.

4. Policy Outline

4.1 Leadership and Strategic Commitment

The Group recognises that ASB can severely damage quality of life and it is committed to tackling incidents wherever they occur in its communities. We aim to create a culture of respect in the communities in which we work.

We will not tolerate ASB and a robust procedure will be followed to address matters quickly and effectively.

We will endeavour to show strong leadership, corporate commitment, and accountability in preventing and tackling ASB. The management and prevention of ASB will be seen as a core operational business activity, supported by proportionate resources to attempt to tackle ASB effectively.

4.2 Principles

In responding to complaints and allegations of ASB we will endeavour to:

- Ensure colleagues are provided with training and support to effectively respond to ASB.
- Ensure customers are made aware of the terms and conditions of their tenancy agreement and of their responsibilities in relation to ASB.
- Provide a supportive and safe environment to all customers to encourage the reporting of ASB.
- Ensure the reporting of ASB is accessible and easy, giving consideration to customers’ needs and eliminating any barriers to reporting incidents of ASB.
- Enable customers to report incidents of ASB to us in different ways including in person, through the customer portal, over the phone and via our website.

- Ensure that all information is written, as far as possible, in plain English and will provide communication to customers in other formats and languages where required.
- Encourage customers to resolve their disputes amicably by communicating with each other and offer mediation where appropriate.
- Ensure customers are made aware of the terms and conditions of their tenancy agreement and of their responsibilities in relation to ASB.
- Treat people fairly and sensitively during our investigations and base our responses on the evidence available.
- Be realistic with the response we are able to offer.
- Work in partnership with our partner agencies to respond effectively to reports of ASB.
- Work with partner agencies, community groups, partner and statutory organisations, where appropriate, to ensure co-ordinated services to prioritise the safety of victims and their children.
- Ensure any information provided to us is treated in the strictest of confidence subject to our ability to disclose information to relevant third parties in accordance with data protection law (for example in cases of child protection or the prevention of crime).
- Assess the vulnerability of complainants and where appropriate respondents of ASB, offering where appropriate and available assistance and support to both.
- Enforce tenancy and lease conditions, using effective and prompt case management interventions and a balance of prevention and support measures to include legal and non-legal remedies.
- Monitor our performance to assess the quality of our service and compliance with this policy and the ASB procedure.

4.3 **Managing Anti-Social Behaviour (ASB)**

4.3.1 **Responding to Reports of ASB**

The Group will ensure it is easy for ASB to be reported, adopting a range of methods to ensure we are accessible to all customers.

We will endeavour to:

- respond to any Hate incidents within 1 working day; and
- respond to all other reports of ASB within 3 working days.

4.3.2 **Case Management**

As part of our initial contact and assessment with complainants, we will seek to establish if they are a repeat victim of ASB and consider this in any response.

We will also review any potential vulnerability and the likely risk of harm to the complainant by normally completing a vulnerability risk assessment. Further

vulnerability risk assessments will usually be completed throughout the case in accordance with the ASB procedure. We will also normally complete a vulnerability risk assessment for respondents where this appears to be appropriate. Through the use of robust vulnerability risk assessments we will ensure a 'harm centred' approach is adopted in our response to ASB.

An initial action plan will normally be agreed with complainants, taking into account the outcome of the vulnerability risk assessment and any further action plans may then be completed as and when appropriate until case closure. Action plans will also normally be completed wherever possible with respondents of ASB, ensuring they are made aware of the allegations, capturing their response and providing them with actions required.

Referral and signposting to support agencies will be considered and completed where appropriate and available for both the complainant and respondent.

We will remain vigilant of any safeguarding concerns and will give consideration to the Safeguarding Vulnerable Adults and Children policy where appropriate.

Reasonable and proportionate intervention will be taken in response to ASB, which could include non-legal remedies such as visits, mediation, warning letters or Acceptable Behaviour Contracts or legal remedies such as injunction or possession proceedings. Interventions may also be in collaboration with partner agencies.

Cases will remain open and under review until all outstanding actions agreed as part of the action plan or subsequent reviews have been completed. When a case is being considered for closure, the complainant will ordinarily be consulted with the purpose of reviewing the current circumstances and obtaining their views. Common agreement will ordinarily be sought to agree case closure, however on occasion, this may not be possible. Consideration will be given to current circumstances, that a full investigation has been completed and any reasonable action taken, where this is evident, the case will be closed.

4.3.3 Partnership Working

The Group recognises that the responsibility for preventing and tackling ASB is not the sole responsibility of one agency, although it appreciates that it plays a critical role.

Successful ASB case management and prevention often depends on the willingness of organisations to work in partnership to prevent and tackle ASB. Further, this is often dependent on the freedom and willingness to exchange information between different organisations within the constraints of data protection legislation.

Victims of ASB will be encouraged to allow us to share information with other agencies, including the police and local authority to ensure that the full range of civil and criminal action is pursued where reasonable and proportionate and that appropriate support is provided.

4.3.4 Information Sharing and Confidentiality

Information provided to us in respect of ASB will always be treated as confidential and will not normally be used or shared for any other purpose without the consent of the person providing it. There are however exceptions to this principle, such as in cases of safeguarding. Where this is the case, a clear rationale for the sharing of the information will be recorded.

4.3.5 Value for Money

The Group will ensure that it understands the costs associated with managing ASB so there is a strong focus in achieving value for money for our customers.

This will be achieved by:

- Ensuring that early intervention tools are used where possible and appropriate prior to undertaking enforcement action.
- Considering which tool is most likely to be effective, reasonable, proportionate and necessary when enforcement action is considered.
- Completing enforcement action 'in house', through the Community Safety team wherever possible.
- Regularly reviewing cost of instructed solicitors, ensuring costs are reflective of the work being completed.

4.3.6 Safeguarding

The Group will consider the wellbeing and safety of children and vulnerable adults. All those involved in the delivery of this policy should ensure that they are familiar with the Group's Safeguarding Vulnerable Adults and Children Policy.

4.3.7 Training

Appropriate training will be given to colleagues to raise their awareness and to equip them to implement this policy and its related procedures effectively.

5. Equality and Diversity

- 5.1 The Group is committed to fairness and equality for all regardless of their age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex or sexual orientation as referred to in our relevant Group policies. Our aim is to ensure that our policies and procedures comply with our legal duties and do not unlawfully discriminate, either directly or indirectly, and adjustments which are reasonable, in law, may be made to the policy to where required.

6. Complaints

- 6.1 The Group aims to meet the needs of its customers by providing an excellent service. However, it is acknowledged that occasionally things go wrong and customers may wish to complain. Should the need arise to make a complaint, please refer to the Group's Complaints, Comments and Compliments Policy.

7. Monitoring and Review

- 7.1 Key performance information will be provided to the Senior Leadership Team which will determine the effectiveness of this policy.
- 7.2 This policy will be reviewed every three years or on the introduction of new legislation, best practice guidelines or operational changes, whichever is sooner.
- 7.3 Approved documents are valid for use after their approval date and remain in force beyond any expiry of their review date until a new version is available.

8. Associated Documents

- 8.1 List of documents - associated policies, procedures and publications:
- Anti-Social Behaviour (ASB) procedure
 - Hate Crime Policy
 - Safeguarding Vulnerable Adults and Children Policy and Procedure
 - Data Protection Policy
 - Lettings Policy
 - Customer Domestic Abuse Policy and Procedure
 - Condition of Property Procedure
 - Complaints, Comments and Compliments Policy
 - The Tenancy Agreement
 - Anti-social Behaviour, Crime and Policing Act 2014
 - Anti-social Behaviour Act 2003
 - Equality Act 2010
 - Housing Acts 1985, 1986 and 1998
 - Modern Slavery Act 2015
 - Children Act 2004
 - Data Protection Act 2018
 - Human Rights Act 1998
 - Police and Justice Act 2006
 - Homeless Reduction Act 2017
 - The Neighbourhood and Community Standard
 - The Tenancy Standard

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