



Anti-Social Behaviour Policy (ASB)

AUTHOR

Governance

APPROVED BY

Senior Leadership Team

REVIEW DUE

May 2027

Anti-Social Behaviour (ASB) Policy

1. Introduction

This policy applies to both Assured Shorthold and Licenses. It will be operated in partnership with the relevant care service provider.

The policy provides that:

We will respond to reports of anti-social behavior (ASB) from whatever source if it is alleged that our residents, members of their household or visitors are perpetrators of ASB.

We are committed to finding ways of acting with and on behalf of our Supported Living Tenants who experience ASB caused by people who are not our residents; and

We will provide a range of measures designed to prevent ASB.

2. Definitions

Anti-Social Behavior

This policy and associated procedure is designed to deal with ASB that directly affects the housing management functions* of Halo Housing Association, as a 'relevant landlord', and as defined by and incorporated into Sections 153A and 153B of the Housing Act 1996 by Section 12 of the ASB Act 2003:

"Conduct which is capable of causing nuisance or annoyance to any person and directly or indirectly relates to or affects the housing management functions of a relevant landlord".*

Or

"Conduct which consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose".

The term 'anti-social behavior' is used to describe actions that unreasonably interfere with or could interfere with an occupier's normal use and enjoyment of their home, garden, or neighborhood. The definition extends to behaviour that can create a nuisance or annoyance for another person connected with the property, including HHA staff and contractors.

* The housing management function of the landlord covers any activity that the landlord would undertake in the day to day and strategic management of their properties. This would include but is not limited to:

- Tenant participation
- Maintenance and repairs

- Rent collection

Matters that might indirectly affect the housing management function include social care and housing support, environmental health, disposal of rubbish and other services that enable the efficient operation of the landlord.

b. Hate Crime

Halo Housing Association defines Hate Crime as any crime or incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a persons' race, religion, sexual orientation, disability, or gender identity. Hate crimes can include but are not limited to:

- Threatening behaviour
- Assault
- Robbery
- Damage to property
- Inciting others to commit hate crimes
- Harassment

c. Domestic Abuse

Halo Housing Association uses the "Home Office" definition of Domestic Abuse, which is:

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence, or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim." *

*This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

3. Policy Statement

This policy and the associated procedure sets out our approach to tackling ASB, through prevention, enforcement, and support. Its purpose is to prevent and minimise the amount of ASB that our Supported Living Tenants and service users suffer, which impacts adversely on our communities.

This policy sets out what we expect from our Supported Living Tenants and service users and what they can expect from us to protect their right to peaceful enjoyment of their home and their community.

Halo Housing Association accepts that:

- Everyone has the right to their chosen lifestyle providing this does not spoil the quality of life of others. This implies tolerance, consideration and respect for the requirements and needs of others.
- Halo Housing Association has a role as landlord in ensuring that such rights and obligations are realised in individual cases; and
- The Local Authority and Police Authority have a larger role within the arena of the public interest to promote and protect the interests of those living within their boundaries.

Halo Housing Association will demonstrate by its actions that it will not tolerate ASB. We will make this clear to our Supported Living Tenants and service users and to any person who is seeking or entering a tenancy or lease.

4. Policy Aims

To ensure that the relevant employees of Halo Housing Association are trained and equipped to respond swiftly and effectively to reports of ASB and prevent reports escalating into more serious incidents.

To raise awareness amongst residents, staff, partner care providers and other relevant stakeholders of the tools and powers available to both staff and residents, to tackle ASB.

To minimise the amount of ASB that our Supported Living Tenants experience through preventative action, rehabilitation of perpetrators and community cohesion activities including diversionary activities for young people.

To develop and maintain effective partnerships with local and national agencies with whom we can collaborate in tackling ASB.

5. ASB or not ASB?

Halo Housing Association accepts that many neighbours will naturally have different values or opinions and sometimes this can cause problems. We expect our Supported Living Tenants to show consideration for their neighbours as well as understanding that we all have a right to live our lives.

Not all reports relating to behaviour that impacts on an individual can be deemed anti-social behaviour. It is important to show tolerance and be respectful of differing lifestyles and circumstances. As HHA specialises in supported accommodation, HHA understands that due to the very nature of the services provided, not all incidents are necessarily defined as ASB. Extra care is taken to provide Tenants with complex and additional needs the support and protection they require.

The following are some examples of reports that are not deemed anti-social behaviour:

- Noise or disturbance from children when they're playing
- Family disputes
- Babies crying
- Smells from cooking
- Sounds of normal living that we can hear such as opening and closing of doors, going up and down stairs
- One-off parties such as BBQs, Birthday or Christmas parties providing they don't cause an unacceptable disturbance
- Clashes of lifestyle, including cultural differences
- Minor personal differences such as dirty looks or fall outs between children
- Putting rubbish out on the wrong day
- Parking in the wrong bay
- Sounds connected to disabilities

We will work to manage Tenants expectations regarding behaviour that is not deemed anti-social behaviour. We will offer advice and guidance to encourage and enable them to deal with or manage the situation themselves. Every step is taken to ensure that everybody works toward safe and harmonious living.

Extra care is taken to educate perpetrators of ASB towards Supported Living Tenants about their complex and or additional needs. To help prevent escalation. HHA finds with proper partnered initiatives, matters of what could be mistaken for ASB can be resolved peacefully.

HHA understands that there might be times of distress to our Tenants. HHA therefore understands that during these times, our Tenants sounds and actions could be perceived as acts of ASB. However, assurance is provided that in these circumstances our Tenants are well supported, by either their Care Provider or other suitable organisations.

The very nature of supported living arrangements is there to allow our Tenants the ability to live independently. We understand that at times of distress this could be misconceived as a nuisance or act of ASB.

Many of our Tenants have access to support from either Social Services and Mental Health Teams and their Care Providers.

6. Resident's Responsibilities

We expect our Supported Living Tenants through support planning not to commit, or allow their family, household members, visitors, or pets to commit acts of ASB. This includes harassment, noise nuisance, annoyance, or disturbance, whether to other residents, their visitors, or other people in the area, such as our staff and contractors.

In addition to the legal responsibilities set out in their Tenancy Agreement, we will encourage all Supported Living Tenants to:

(a) Take responsibility for minor personal disputes with their neighbours and to try to resolve any such problems themselves in a reasonable manner that would not put them at risk in conjunction with support services.

(b) Report all incidents of ASB.

(c) Report all crimes, including threats or acts of violence, to the Police.

HHA will assist our Tenants by engaging with partner organisations to ensure all victims of crime are given the same opportunities to report crime.

(d) Respect other peoples' right to their chosen lifestyle and be tolerant of everyday, reasonable level of disturbance; examples may include cooking smells, babies crying or religious practices.

(e) Work and cooperate with us fully to resolve disputes/issues, for example by attending mediation, providing witness statements, attending court etc.

7. Action to Deal Effectively with ASB

Our response to the allegations of ASB will be reasonable, justified, and proportionate and appropriate and will commit to the following:

Preventative Action/Early intervention

- Provision of support and advice for those reporting ASB and witnesses
- Provision of support for perpetrators
- Legal action against perpetrators (whether by us or another agency)

We aim to provide a balanced approach between protecting the quiet enjoyment of the community with helping individuals to sustain their tenancies by addressing them and by taking accountability for our Tenants.

We believe that in many incidences, ASB can be stopped when challenged early enough. Wherever possible, we will use early non-legal remedy intervention measures.

Where non-legal remedy is unsuccessful in resolving the ASB, we will consider taking legal action to do so. Only as a last resort.

We will only consider eviction as a last resort either where other actions have been unsuccessful or where the anti-social behaviour is of a very serious nature. Again, this is measured if this action is reasonable, justified, and proportionate, and this will only be considered once all other avenues of remedies have been exhausted.

We will ensure any legal action is taken in line with the Pre-Court Action Protocol.

HHA will only take court actions against somebody with additional needs after a thorough investigation has taken place, HHA fully understands the additional needs of our Tenants. HHA will

work with all partner agencies first, to the full extent. HHA will exhaust all civil possibilities prior to considering legal action.

8. Service Standards

Halo Housing Association's service standards in relation to ASB are:

- For high-risk cases, we will develop an action plan with you (high-risk cases, for example, are those involving hate crime, domestic violence, or violent actions).
- Agree with a timescale with you to keep you informed of the progress of your case.
- Contact you to discuss your case before we close it.

We aim to deal quickly and effectively with all cases to resolve them at the earliest opportunity. We will record anonymous reports but only act if the ASB can be substantiated either by staff or where additional evidence can be gained.

All parties in an ASB case will be treated fairly and listened to on an equal basis. Counter allegations will be treated as separate cases and action will be taken based on the evidence available.

9. Support

We aim to create sustainable communities and an environment where victims and witnesses feel confident and safe in coming forward to report ASB, therefore we ensure the reporting of all ASB, domestic violence or hate crime can be done so easily. We operate a flexible approach to receiving reports to help minimize further stress and isolation to Tenants. We will provide support to the person making the report and witnesses to ensure their own well-being and that action against perpetrators is as successful as possible. We will support complainants of ASB by:

Dealing with their reports promptly.

Managing their expectations and being realistic about what we can and can't do Involving them in discussions about the action plan to resolve their issue Communicating with them by their preferred method and frequency

- Carrying out risk assessments and referring them to appropriate support services where necessary
- Signposting and referring to other agencies
- Providing good, regular, and up-to-date information on the progress of cases; and
- Help with re-housing, in high-risk cases, where we are satisfied that it is reasonable and necessary to protect the individual

The Halo Housing Association recognises that we cannot always prevent people becoming repeat victims of anti-social behaviour; therefore, it is important that we ensure there is a suitable and appropriate support network around everyone to enable them to manage their situation until a satisfactory resolution is achieved.

We will offer support to perpetrators of ASB to assist them in resolving problems on a long-term basis; we will support perpetrators by:

- Giving them a chance to resolve the problem by changing their behaviour
- Signpost and refer to other agencies who can offer support

In extreme cases where anyone involved is at risk of violence or threat of violence, we may proceed immediately with legal action, without offering any form of support to the perpetrator.

Halo Housing Association acknowledges that it may not be easy or possible for domestic violence to be reported by a victim. Staff are safeguarding trained and can recognise where there may be incidents of DV within a property. Where incidents of domestic violence are apparent, HHA will respond discreetly and enlist the intervention of appropriate agencies to support the Tenant.

10. Partnership Working

HHA will operate a multi-agency approach from sharing of expertise, data, and resources, including feeding back on the effectiveness of services and working towards solutions to specific area issues.

We will work in partnerships with statutory organisations, partnering agents, community groups, professional bodies, and other stakeholders to support individuals who report ASB, witnesses and perpetrators' and to manage behaviour.

We will work in partnerships at a strategic and operational level.

HHA requests from any Care Provider or interested agency relevant data, to maintain their records and provide the best service possible in accordance with the Tenants needs.

HHA will proactively engage with Social Services to request updates rather than wait for them.

HHA will work closely with the Care Provider early on, making the Care Provider aware if HHA has contacted any external support/agency or law enforcement.

HHA will work closely with Social Workers and Social Services itself. Especially in situations where our Tenants lack capacity and require appointees.

11. Protection of Staff

HHA staff and subcontractors expect to work in an environment that is safe, secure, and free from fear of violence, threats of violence or abuse. As such, any behaviour of this nature directed at HHA staff, agents or contractors is deemed to be unacceptable and appropriate action will be taken against those responsible.

To protect our staff, we will consult our Lone Working Policy whilst enacting our responsibilities in this policy.

12. Regulatory Code & Legal Framework

The Neighbourhood and Community Standard for ASB requires Registered Providers to work in partnership with other agencies to prevent and tackle ASB in the neighbourhoods where they own

homes. This standard also requires that in their work to prevent and address ASB Registered Providers demonstrate:

That Tenants are made aware of their responsibilities and rights in relation to ASB Strong leadership, commitment, and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies

- A strong focus exists on preventative measures tailored towards the needs of Tenants and their families
- Prompt, appropriate, and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available
- All Tenants and Supported Living Tenants can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not
- Provision of support to victims and witnesses.

13. Training

We are committed to ensuring staff have the confidence and knowledge to identify and investigate incidents and reports of ASB. All relevant staff will receive an induction into ASB and access to up-to-date ASB information and support and guidance from specialist officers.

14. Equality and Diversity Implications

HHA is committed to treating people with honesty, dignity, respect and trust. This applies to Colleagues, Tenants, Potential Tenants, Contractors and Board Members.

At Halo Housing Association:

- Equality is about ensuring that every individual has an opportunity to make the most of their lives and talents.
- Diversity is recognising difference and responding positively to those differences
- Inclusion is about creating an environment where our services and employment opportunities are accessible to all.

We will adhere to Equality Act 2010 in all its actions and will consider all the protected characteristics of the Act which are: Race, Sex, Gender Reassignment, Disability, Sexual Orientation, Religion or Belief, Age, Marriage/Civil Partnership and Pregnancy and Maternity. Further to the protected characteristics, HHA will be mindful of socio-economic disadvantage and will do everything in its power to minimise this and other forms of disadvantage.

15. Monitoring, Review & Evaluation

Monitoring of ASB cases will be done on a regular basis at a local level.

This policy will be reviewed at least every three years and updated to reflect any changes to corporate/customer requirements and targets; and updates to legislation.

In line with our commitment to inclusion and diversity, our documents can be made available in a variety of formats, including large print, translated into another language or other media. Reasonable adjustments will also be made to assist individuals who have a disability in accordance with the Equality Act 2010.