

Policy: Anti-Social Behaviour

1. Adopted by the following group entities:

Name	Date Approved
Change Housing	
Hilldale Housing Association	
Quays Housing	

2. Introduction

- 2.1 This policy reflects the requirements of the Regulator of Social Housing’s Consumer Standards specifically for the Neighbourhood and Community Standard and Tenancy Standard which came into force in April 2024, and sets out Hilldale and Quays Housing’s approach to tackling anti-social behaviour and hate incidents.
- 2.2 It is intended to be comprehensive, clear and accessible. The policy has been determined and should be viewed in the context of Hilldale and Quays overall responsibilities as a landlord. Our policy outlines our general approach to addressing anti-social behavior. When applying this policy, both organisations overriding consideration is to consider each situation on its particular facts.

3. Policy Purpose and Aims

- 3.1 Hilldale and Quays Housing are committed to preventing and tackling anti-social behaviour and recognise the devastating affect such behaviour can have on an individual and their community. We want our tenants to enjoy where they live so it is vital that they have the trust and confidence, to report incidents of Anti-Social Behaviour, crime, and nuisance as soon as possible.
- 3.2 This policy seeks to support tenants in their understanding of their rights and responsibilities in relation to anti-social behaviour. This supplements the information contained in tenancy agreements.
- 3.3 The intended outcomes of this policy are to:
- Prevent and minimise instances of anti-social behaviour and to resolve them as early as possible through timely and appropriate intervention.
 - Reflect a person-centred approach, allowing for the provision of appropriate support and effective communication and the provision of regular updates.
 - Treat people fairly and equally, ensuring that any action taken is proportionate and reasonable in the circumstances.
 - Ensure we meet our legal and regulatory responsibilities in relation to anti-social behaviour.

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- Outline how we will work with relevant organisations to deter and tackle anti-social behaviour in the neighbourhoods where we provide social housing.
- Set out our approach to tackle and deter hate incidents in neighbourhoods where we provide social housing.
- Enable anti-social behaviour to be reported easily and keep tenants informed about the progress of their case.
- Provide prompt and appropriate action in response to anti-social behaviour, having regard to the full range of tools and legal powers available.
- Support tenants who are affected by anti-social behaviour, including by signposting them to agencies who can give them appropriate support and assistance.

3.4 Both organisations are aware that vulnerable people live in our homes, therefore we have a responsibility to work with other agencies to help keep them safe from harm.

4. Policy Statement

4.1 Our tenants are responsible for their behaviour as well as the behaviour of their visitors under the terms of their tenancy agreement.

4.2 Hilldale and Quays may use a range of interventions including:

- Prevention
- Customer expectations management
- Early intervention
- Partnership working
- Enforcement
- Rehabilitation

4.3 Anti-social behaviour is defined in the Anti-Social Behaviour, Crime and Policing Act 2014 as conduct that has caused, or is likely to cause harassment, alarm or distress to any person. Is capable of causing nuisance or annoyance to a person in relation to that persons' occupation of residential premises or is capable of causing housing related nuisance or annoyance to any person.

4.4 We consider the following to be examples of anti-social behaviour; this list is not exhaustive:

- Violence against people and/or property.
- Aggressive and/or threatening behaviour or language.
- Any type of hate behaviour that targets members of identified groups because of their perceived differences.
- Domestic violence or abuse.
- Intimidation and/or harassment.
- Alcohol and/or drug related anti-social behaviour.
- Noise nuisance such as shouting, banging/slamming doors, loud music for long periods at anti-social times of the day or night.

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- Misuse of communal areas.
- Making false or malicious complaints about another person.

4.5 The following are some examples of incidents that are not generally considered to be anti-social behaviour:

- Normal conversations heard through walls or floors.
- Noises travelling through ceilings or walls due to poor insulation or type of flooring.
- Neighbours walking around their home and across floors.
- Neighbours closing doors, cupboards, or windows.
- People vacuuming or using Washing Machines during reasonable hours of the day.
- Cooking smells.
- 'One off' gatherings and parties (unless there is abusive and threatening behaviour, or it occurred for prolonged / excessive periods of time).
- Certain incidents which may be considered a criminal offence, which should be reported to and dealt with by the Police.

4.6 We can work to manage tenants' expectations with regards to behaviours that are not defined as anti-social behaviour and will offer advice and guidance where appropriate.

5. Our Approach to tackling Anti-Social Behaviour

5.1 **Prevention** – we will implement preventative measures that help to minimise the risk of anti-social behaviour occurring. Measures include a thorough allocations policy, risk assessments, compatibility analysis in shared properties and working with tenants to ensure they receive the appropriate support for their needs. Examples include:

- Clear clauses in the tenancy agreement.
- Advice for tenants on their responsibilities and remedies available.
- Comprehensive allocation policies.
- Robust assessment process for persons referred to Hilldale or Quays for housing.
- Improving the physical environment.
- Diversionary projects.
- Regular key work sessions in line with clients support need and behavioural challenges.

5.2 **Customer expectation and involvement** – we will provide clear information to all tenants on their rights and responsibilities as a tenant. We will make it easy for tenants, their families or support providers to report anti-social behaviour and will provide information and advice on the options available to resolve issues. We will keep everyone informed throughout the investigation and will look to resolve any issues as quickly as possible.

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Hilldale and Quays Housing take a person-centered approach to dealing with anti-social behaviour as we acknowledge that the added vulnerability and needs of our tenants may need to be considered when dealing with anti-social behaviour. Our Housing Officers/Support Teams are very experienced in liaising with external agencies such as Social Services and Safeguarding Teams and will always liaise with the relevant professionals where required.

Our Tenant Voices Panel has reviewed this policy, and we will continue to engage with them to receive feedback on any future changes.

5.3 Early intervention - We will respond quickly to all concerns raised and consider the use of informal interventions where appropriate, these may include encouraging tenants/support providers to speak directly to the person who is causing anti-social behaviour, offering mediation, providing advice, issuing verbal or written warnings, and using Acceptable Behaviour Contracts to agree future conduct.

5.4 Partnership – Hilldale and Quays work across England and Wales and we will work with our tenant, their support network and other partner agencies who can help. The partner agencies include Adult Social Care, ICB, and the Police Service. We will assess the vulnerability and support needs of our tenants and provide appropriate support directly or refer to external agencies where necessary.

5.6 Enforcement – We will take prompt, appropriate and decisive action to deal with anti-social behaviour before it escalates. This action focuses on resolving the problem using a full range of tools and any legal powers that are available. This may include, tenancy enforcement action including possession proceeding and injunctions.

5.7 Rehabilitation – Hilldale and Quays also recognise that problematic behaviour may be the result of one or more diverse needs and in these cases; we will seek to support the perpetrator and seek the advice and the advice of specialist agencies to help address their needs and support a positive change in behaviours.

6. Receiving complaints/assessment

6.1 All complaints of anti-social behaviour are categorised according to the nature and seriousness of the complaint. The categories are defined as follows:

LEVEL	DESCRIPTION	RESPONSE	RESPONSIBLE PERSON
1. LOW	Environmental Nuisance i.e. smoking/ substance misuse, fly-tipping, garden nuisance, parking complaints, pet nuisance.	7 working days	Housing Officer/Support Worker

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2. MEDIUM	Nuisance i.e. noise nuisance, verbal abuse, drug dealing.	5 working days	Housing Officer/Support Worker
3. HIGH	Serious ASB i.e. high risk of harm to person or property including threats, of violence, hate crime, domestic abuse, harassment, or physical assault.	1 working days	Housing Officer Housing Team leader/Support Worker/Service Manager

GREEN – The Housing Officer (HO) or Support Worker (SW) will investigate the complaint and gather evidence by taking witness statements and speaking to any other witnesses. Once these have been obtained the HO/SW will make an informed decision on how to conclude the complaint and agree an action plan with the complainant/perpetrator. The HO/SW will follow the steps confirmed in the action plan until the case is satisfactorily resolved and all parties agree to close the case and case closed letter sent.

AMBER – HO/SW will investigate the complaint and gather evidence by taking witness statements and speaking to any other witnesses. The HO/SW may look to seek advice from the ASB Lead for more complex matters around the investigation and agree action plan with the complainant/perpetrator. The HO/SW will follow the steps confirmed in the action plan until the case is satisfactorily resolved and all parties agree to close the case and case closed letter sent.

RED – HO/SW will investigate the complaint and gather evidence by taking witness statements and speaking to any other witnesses. The HO/SW will work closely with the Team Manager to manage investigation of the case and agree action plan with the complainant/perpetrator, this could include seeking legal advice. In cases of Domestic Abuse or Hate Crime we will seek support from local agencies including The Police and Local Authority and Charities set up to support victims. The HO/SW will follow the steps confirmed in the action plan until the case is satisfactorily resolved and all parties agree to close the case and case closed letter sent.

Any criminal behaviour will be reported to the police, they are the lead agency on all criminal matters.

7. Malicious / Unfounded Allegations

7.1 Where there is evidence of a malicious allegation or continuous unfounded allegations, this may constitute as anti-social behaviour or harassment and as such, appropriate action will be taken against the person making the allegation(s).

8. Hate Crime and Hate Incidents

8.1 Hilldale and Quays adopt a zero-tolerance approach to hate incidents and hate crime, and all incidents will be reported to the Police.

8.2 Hate incidents and hate crime are anti-social behaviour that targets someone, and the act is perceived, whether it be by the victim or any other person to have been motivated because of

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hostility or prejudice towards a person's personal characteristics.

8.3 Personal characteristics may include:

- Disability
- Gender-Identity
- Race
- Religion or belief
- Sexual Orientation
- Vulnerability
- Age
- Gender
- Nationality or national origin

8.4 Hate behaviour (which includes both hate incidents and hate crime) can be in many different forms, they can be to an individual or to a property. They include verbal abuse, bogus complaints, damage to property, threats, and acts of violence.

8.5 We acknowledge that hate behaviour causes upset, stress and worry to individuals, families, and the community. We will work to ensure sustainability of communities by dealing with such behaviour quickly and effectively. We are committed to working with the relevant professionals to prevent hate behaviour and we will provide all victims with an appropriate and sensitive response.

9. Reviewing and monitoring of Anti-Social Behaviour

9.1 Hilldale and Quays will seek regular feedback from tenants, families, support providers and any other partners that are involved, on how cases of anti-social behaviour were handled and identify areas for improvement. We will monitor the effectiveness and implementation of this policy to ensure that we continue to protect our tenants and tackle anti-social behaviour effectively.

9.2 Each month the following will be monitored by the Team Manager and reported to the Management Team and Board through KPI reports:

- Number of new cases including hate incidents
- Open cases
- Cases closed.

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10. Service Standards

- 10.1 Hilldale and Quays have published a set of service standards so our tenants, support providers, families and the local community know what to expect of us in how we respond to anti-social behaviour.
- 10.2 Hilldale tenants can report incidents through:
- Housing Officer
 - Support Worker
 - Email – hello@hilldale.org.uk
 - Telephone - 01257 367374
 - Website - <https://hilldale.org.uk/my-home/report-anti-social-behaviour/>
- 10.3 Quays tenants can report incidents through:
- Housing Officer
 - On-site staff
 - Email- info@quayshousing.co.uk
 - or directly to scheme staff
- 10.4 If a tenant feels their safety is at risk, we encourage them to contact the Police and telephone Hilldale or Quays to ensure a quicker response and measures to protect them.
- 10.5 We will close cases in the following circumstances:
- The matter has been resolved by the parties themselves.
 - Action has been taken and the anti-social behaviour has been resolved.
 - There is no evidence to support action.
 - Another agency is dealing with the issue and there is no action required by Hilldale or Quays Housing.
 - The person(s) reporting anti-social behaviour will not support legal action and/ or fails to provide evidence.
- 10.6 We will inform those reporting anti-social behaviour and witnesses about the conclusions we have reached and the reasons why we are closing the case.

11. Safeguarding

- 11.1 Hilldale and Quays have a separate Safeguarding Policy; this should be adhered to if any safeguarding concerns are raised when dealing with reports of anti-social behaviour.

12. Equality and Diversity

- 12.1 Both organisations value the equality and diversity of our tenants, and we are committed to

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promoting equality of opportunity to ensure all tenants are treated fairly when investigating complaints of anti-social behaviour.

- 12.2 We will ensure that any incidents where anti-social behaviour escalates to the point of requiring legal action, our procedure outlines that a proportionality assessment will be carried out to ensure the actions taken are proportionate to suit the needs of the person, the situation or the level of risk.

13. Data Protection

- 13.1 Under the Data Protection Act 2018, organisations must process personal information ‘lawfully, fairly and in a transparent manner.’ Hilldale and Quays are committed to respecting the privacy of our tenants and we will protect their personal data.
- 13.2 Tenants also have the right to know what Information Hilldale and Quays hold about them. Hilldale and Quays have a separate Data Protection Policy which should be adhered to when investigating complaints of anti-social behaviour.

14. Appeals

- 14.1 If a complainant about anti-social behaviour is unhappy following a decision made in relation to the anti-social behaviour Policy and Procedure, they have the right to ask for a review of the decision. All appeals should be put in writing and will be reviewed by the Head of Housing. The appeals process will be documented in the anti-social behaviour procedure.

15. References

- The Housing Acts 1985, 1988, 1996 and 2004
- Environmental Protection Act 1990
- Noise Act 1996
- Crime and Disorder Act 1997, as amended 2002
- Equality and Human Rights Act 1998
- Data Protection Act 2018
- Regulation of Investigatory Powers Act 2000
- Anti-Social Behaviour Act 2003
- Criminal Justice Act 2004
- Equalities Act 2010
- Anti-Social Behaviour Crime and Policing Act 2014
- The Social Housing Regulation Act 2023

16. Document Change History

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Version	Date	Change	Owner
1	29/05/2024	New document	Andrew Oates
2	05/07/2024	More policy detail added inc. monitoring and review.	Andrew Oates/Anne-Marie Holyoak

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