



Title	Anti-Social Behaviour Policy
Purpose	The Anti-Social behaviour Policy outlines the steps BHA will take when identifying or informed on any ASB that takes place in our properties or on our estates.
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Version	I

Policy statement

BHA is committed to tackling anti-social behaviour (ASB).

Everyone deserves quiet and peaceful enjoyment of their home and neighbourhood. We believe that everyone has the right to live in the way they want, as long as it does not spoil the quality of life for others. We want our tenants to feel confident that incidents of ASB are taken seriously and dealt with effectively.

- We aim prevent and minimise instances of ASB by taking a holistic approach by balancing intervention and enforcement with prevention and support for those affected by ASB and to those who are perpetrators to support and signpost to services to assist in changing behaviours.
- We will work with tenants and local community groups to deal with ASB effectively.
- We will maintain close partnerships with key agencies, such as the Police and Local Authority and will enter 'Information sharing protocols and agreements for tackling nuisance and ASB.
- Action taken will be proportionate and reasonable in the circumstances. We will make it clear with those reporting ASB from the outset about whether it is something that we can realistically investigate and possible action we are able to take, the likelihood of that action being successful, the length of time it may take to resolve and what action, if any, they need to take to enable us and other agencies to act effectively.
- We will work in partnership to act against any kind of ASB in or around the areas in which we own property.
- We aim to resolve cases as quickly as possible and take a person-centred approach.
- We will deal with ASB cases in confidence, where possible and with discretion and sensitivity. Information may be shared with our partners within the information sharing protocol but not to any other party unless we are aware of a safeguarding issue, or a crime has been committed.

Domestic Abuse and Hate Crime are covered in separate policies.

This policy applies to all tenants of BHA.

Legal and Regulatory framework

We will ensure that this policy complies with all relevant legislation and takes account of best practice.

- Anti-Social Behaviour Crime and Policing Act 2014
- Equality Act 2010
- General data Protection Regulation (GDPR) – Data Protection Act 2018
- Regulatory Framework for Social housing – Regulator of Social

Definition of Anti- social Behaviour

Anti-social behaviour includes a range of nuisance and criminal behaviours which are causing distress to others. Whether someone's actions can be classed as anti-social behaviour relies heavily on the impact it has on other people.

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

BHA, the police, and the Local Authority consider all these factors when deciding how best to deal with reports of anti-social behaviour. Each report is looked at individually by considering the suffering of the victims and the impact on the wider community.

Examples of anti-social behaviour can include:

- noisy and/or abusive behaviour
- vandalism
- graffiti
- intimidation
- public drunkenness
- littering
- illegal drug use
- excessively barking dogs
- Nuisance from a vehicle
- Graffiti and vandalism
- Misuse of communal areas

What is not Anti-Social Behaviour

Some behaviour, even though it may cause nuisance to individuals, may not be regarded as ASB.

For example, this can include but is not exhaustive:

- one-off parties and barbecues
- infrequent and occasional noise or disturbances
- children's play
- occasional dog barking
- excessive noise from domestic appliances (e.g. washing machines, vacuum cleaners)
- minor vehicle repairs
- gossip
- escalated disputes.
- cooking smells
- babies crying

We expect complainants to take responsibility for minor personal disputes with their neighbours and we will offer advice on how to approach their neighbour in the first instance.

Help with noise from neighbours

Noise from neighbours is one of the most common anti-social behaviour complaints.

Sometimes people do not know they're causing a problem, so it's well worth speaking to them directly, if it is safe to do so, before you get anyone else involved.

We may be able to solve the issue if their tenant is causing the problem.

Local authorities have specific powers to deal with noise pollution. Their environmental health teams can investigate noise complaints and take action to help, including issuing Noise Abatement Orders or Community Protection Notices, which set out what the person causing the noise must do to stop the nuisance. If they do not comply, they could face further legal action. Sometimes, a visit by the LBI environmental health team, and/or a warning letter, can solve the problem.

Our responsibilities

We will seek to promote and publicise this policy, to encourage positive perceptions so that our tenants have the confidence to report incidents and work with us to tackle ASB.

We aim to provide clear information to tenants about how to report incidents of ASB and provide a wide variety of ways to report incidents.

In our response to investigating ASB, BHA will take a person-centred approach.

Depending on the vulnerability of the tenant or member of the household and the type of ASB we will respond within the following targets.

ASB TYPE	TARGET RESPONSE TIME
Level 1 – High Risk	1 Working day*
Level 2 – Medium Risk	3 Working days
Level 3 – Low Risk	10 Working days
Level 4 – record only	Initial feedback only

We aim to deal quickly and effectively with all cases to resolve them at the earliest opportunity and keep complainants advised of progress on their case. All parties in an ASB case will be treated fairly and listened to equally. We will acknowledge the complaint and provide good, regular, up to date information on the progress of the case.

We will consider legal action and pursue court action if no effort is made to amend behaviour and complaints continue to be received. Our response to proven allegations of ASB will be proportionate and appropriate.

We will risk assess complainants and alleged perpetrators and we will offer support to complainants, witnesses and perpetrators as appropriate.

Action plans will be completed with agreement from the complainant in which we will set out how we will manage the case, timescales and realistic objectives to seek closure of the case. The Housing and Communities Director will review all cases regularly to ensure compliance with the policy and procedure and to ensure positive progress in case management.

We will work with partner agencies including the Police, Islington Council and other statutory agencies where necessary to resolve cases.

In cases which have been identified that there is a neighbour dispute, and both parties are willing to engage to reach a resolution, the Housing & Communities Manager will consider whether a referral to an independent mediation scheme would be appropriate.

We will focus on prevention, early intervention and changing behaviour, including conflict resolution and diversionary and community development activities.

Tenant responsibilities

We expect our tenants to behave appropriately and not to commit or allow their family, household members, visitors or pets to commit ASB.

In emergencies and where the incident involves serious threats, physical violence or hate crime we will advise the complainant to make urgent contact with the police to report this.

The requirement for BHA to request diary sheets **Appendix I** are a necessary as part of an investigation, and whilst we do not seek to overuse them, they provide helpful information as to the scale and frequency of the problem. We expect complainants to co-operate with us and complete diary sheets. If a tenant does not wish to record any activity of ASB then BHA will take the necessary steps to complete the investigation.

Prevention and early intervention

We recognise that the best way of tackling ASB is to minimise the likelihood of it happening in the first place and, when it does happen, addressing the issues at an early stage to stop the problem from escalating. The following examples show our commitment to this approach:

Prevention

- We carry out regular estate inspections to identify ASB in communal areas of our buildings at an early stage. This also allows us to identify any future estate improvements that could help reduce ASB on estates.
- We use 'starter' tenancies for new tenants; we will make clear to new tenants our expectations, what type of behaviour they are responsible for and what type of behaviour is not acceptable.
- We identify any support needs when signing up new tenants.
- We reinforce the terms and conditions of all new tenancies by using 'Good Neighbour Agreements'. **Appendix 2**
- Provide and promote positive activities through our community involvement in conjunction with our local partners.

Early Intervention

- We provide advice and assistance to those who experiencing ASB at an early stage and identify any support needs.
- We will refer to support agencies where necessary.
- Making referrals to mediation services for neighbour disputes and low level anti-social behaviour.
- Issue written or verbal warning letters **Appendix 3** or when necessary, start possession or civil injunctions
- Using Acceptable Behaviour Contracts (ABCs) **Appendix 4** to address poor behaviour at an early stage.
- Responding quickly to reports of environmental nuisance such as graffiti.
- Visiting the complainant and carrying out joint visits with the Police or other agencies where necessary
- Interviewing alleged perpetrators
- Asking the Council to Install noise monitoring equipment
- Refer to Victim support

Enforcement

Regrettably, prevention and early intervention do not always work in tackling ASB. There are also occasions when the ASB is so serious that these measures are inappropriate. When this happens, we will act expediently to act against perpetrators if there is clear and sufficient evidence to do so. The following examples show the enforcement actions we may take:

- Seeking possession order through the court systems to evict a tenant who causes ASB.
- If the perpetrator is on a starter tenancy, extend the probationary period from 12 months to 18 months or end the tenancy through the courts
- Civil Injunctions to prevent individuals engaging in ASB

We will work with partners, especially local authorities and the police, using powers available under The Anti-social Behaviour, Crime and Policing Act 2014.

These powers include:

- **Criminal Behaviour Orders** – issued by a criminal court against a person who has been convicted of an offence and is causing anti-social behaviour.
- **Dispersal Powers** – this allows police officers to order a person who is causing harassment, alarm, or distress to leave a specific area for up to 48 hours.
- **Community Protection Notices** – local authorities, the police can issue Community Protection Notices to address a wide range of problems such as littering and noise nuisance.
- **Public Space Protection Orders** – used by local authorities to prevent behaviour and nuisance that is persistent, unreasonable and/or detrimental.
- **Closure Orders** – a court order which closes down properties that are causing serious nuisance, disorder, or criminal behaviour. This means there is a temporary ban on occupying the property.

ASB can have a serious impact on victims, particularly victims who are vulnerable, e.g. disabled older people, and people with mental health issues. We will support those affected by ASB wherever possible and work with other agencies. For example:

- Staff will carry out home visits if these are requested.
- Signposting to other support and advice agencies.
- Carrying out risk assessments and make referrals to appropriate support agencies. **Appendix 5**
- Carrying out additional security measures
- Providing advice and assistance to those who wish to move home.
- If required, we will review security measures for witnesses and ensure that they are well prepared for court.

We also recognise that some perpetrators are also vulnerable and may benefit from additional support to assist in stopping anti-social behaviour. We will also refer perpetrators for support where necessary and take any vulnerability into account before commencing legal action. However, where the ASB persists, or perpetrators refuse to engage with support we will take enforcement action.

We recognise that when dealing with ASB we may well come into contact with children and adults where there are safeguarding concerns. All employees receive safeguarding training and have access to information to enable them to respond appropriately.

Closing a case

We will seek to close a case if there have been no further reports of ASB within a given period, when the issue is resolved or when no further action can be taken. However, cases will be reopened should any new incidents of ASB be reported.

Partnership working

To tackle ASB as effectively as possible sometimes we cannot act alone. For example, if there is a wider problem in a local area we must work in partnership with other agencies. Sometimes, we also need information and other agencies may require information from us. This is particularly important in identifying victims who are deemed to be high risk.

The following examples show how we work in partnership with external agencies and local partners:

- We are signed up to information sharing protocols with the London Borough of Islington and the local Police.
- We participate in Local Authority multi-agency ASB forums and groups.
- Working with local Police Safer Neighbourhood Teams to deal with local problems.
- London Fire Service if applicable
- Working with other partners such as other Registered Providers, Youth Teams and Social Services departments.
- We will work with the Local Authority where a tenant wishes to have their case reviewed as part of the ASB case review and or community trigger

ASB case review

Those affected by persistent anti-social behaviour, who do not think they have had a satisfactory response to their reports of ASB, have the right to ask for a multi-agency review of their case. Certain thresholds must be met for cases to qualify for ASB case reviews, which are also known as the Community Trigger.

During an ASB case review, agencies will consider the action taken so far and will come together to try to find a solution. Agencies taking part are known as responsible bodies. They include local authorities, the police, NHS Clinical Commissioning Groups in England, and BHA.

The review body (normally the local authority) must keep tenants informed of the progress of the case, including:

- the decision on whether the threshold is met for the review to go ahead;
- the result of the review; and,
- any recommendations made because of the review.

What is the threshold for a case review?

A tenant can apply for an ASB case review, and the LBI will decide whether the review will take place.

They will look at things like:

- the number of incidents reported and the frequency of reports to agencies, such as the local authority, police or BHA
- the effectiveness of responses
- and the potential harm of the anti-social behaviour to the tenant

A national threshold means a review is likely to go ahead if the tenant has made three qualifying reports within 30 days of incidents, in a six-month period. The number of reports matters, not the number of responses received.

Requesting a case review

A review can be requested by contacting the LBI. Requests for a review may come directly from the tenant or a third party (with the tenant's permission), such as a family member, friend, or a local elected representative (e.g. a councillor or MP).

If the case review application is successful, LBI and the relevant agencies must consider the impact of the anti-social behaviour on the tenant and decide whether the threshold has been met. The person who requests the ASB case review must be informed of the outcome.

The case review process

Agencies have a duty to undertake a case review when an application meets the locally set threshold. They will share information, review what action has previously been taken, and decide whether there are additional actions that can be taken. The local ASB case review procedure should clearly state the timescales in which the review will need to be undertaken.

The case review panel should always consider inviting the tenant to attend the case review to help members of the panel to understand the level of harm and impact. Tenants can seek independent support from another organisation such as [Victim Support](#).

Outcome of the review

Once the panel has ended its review of the case, the tenant will be informed of the result. Where further actions are necessary, an action plan setting out timescales for actions that have been agreed.

If the tenant is not satisfied, they have the right of appeal on the way the review process was carried out or with the decision on whether the threshold was met.

Complaints

Tenants who are unhappy with our handling of their ASB complaint can use our complaint procedure. If they remain dissatisfied and they meet the eligibility criteria, they may be able to request a case review by the Local Authority.

Training

Training will be provided for BHA staff to ensure that they have skills, knowledge and confidence to implement this Policy and Procedure.

Monitoring

BHA will monitor ASB activity, our responses to it and tenant feedback. We will report back to the Board on an annual basis and include information on the percentage of tenants satisfied with how their ASB complaint was handled.

Consultation and Review

We will undertake a review of this policy in 3 years or whenever there are any relevant changes to legislation or regulatory requirements. Any significant changes to this policy will also be subject to a review by the Residents Panel.

Equality Impact Statement:

We will ensure that this policy is applied fairly and consistently. We will not discriminate against any person on any grounds as set out in the Equality Act 2010.