



ANTI-SOCIAL BEHAVIOR (ASB) POLICY

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Executive Summary:
<p>The policy highlights our approach to classification and types of anti-social behaviour and how we will tackle this to prevent anti-social behaviour impacting our neighbourhoods. It covers the actions we will consider and our partnership working whilst also highlighting the need to assess risk and how we work with vulnerable witnesses and/or perpetrators to manage causes and prevent further reports. The policy details how we work with our partners and in what circumstances we share information as well as the training our employees working in more specialised frontline roles receive.</p>

Policy Grouping/Directorate(s)	Customer and communities	
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Notes:		

1 Introduction

- 1.1 This policy outlines Rochdale Boroughwide Housings approach to Anti-Social Behaviour (ASB)
- 1.2 This policy applies to all RBH employees responsible for the management of anti-social behaviour and is also a guide for customers. For the purpose of this policy an RBH customer is a tenant, or anyone affected by the actions of one of our tenants.
- 1.3 RBH understands the impacts that Anti-Social Behaviour can have on individuals and communities and takes its responsibility seriously in tackling Anti-Social Behaviour in the homes and communities we manage. We are committed to supporting neighbourhoods and communities to thrive and this policy describes how we will work to ensure anti-social behaviour does not undermine this objective.
- 1.4 We communicate clearly that ASB will not be tolerated and expect our tenants to act reasonably and be respectful of different cultures, lifestyles and values.

2 Context

- 2.1 This policy has been developed to ensure RBH meets all regulatory, legislative, and strategic policy responsibilities. A full list of relevant legislation is set out at Section 7.

3 Aims & Objectives

- 3.1 The aims of the policy are:
 - To ensure RBH has an effective response to ASB.
 - To set out what RBH means by the term ASB.
 - To describe what customers can expect from RBH if they are experiencing ASB.
 - To meet our legal requirement of publishing a policy and procedure statement in accordance with Section 218A (3) to (6) of the Housing Act 1996.
 - To work in line with the Succeeding Together Strategy values of RBH

- 3.2 The policy fits with the Succeeding Together Strategy values of RBH:

Responsibility - We take responsibility where possible for meeting the needs of people and understand the impact that ASB can have on individuals, households and communities and will take responsibility for doing all that it can in preventing, addressing and resolving complaints in our neighbourhoods through evidence gathering and partnership working.

Equity – This policy will help ensure a fair recognition of the rights of individuals to a fair hearing and ensures that there is a presumption of innocence until the facts about any complaint of ASB have been established.

Democracy – This approach has been developed in partnership with members through the work with tenants and residents in further developing the procedures

and guidance which accompany this policy, and which inform the way in which we work.

Pioneering – This policy supports a forward-thinking approach to our work around ASB and nuisance RBH will, in conjunction with our partners, seek to find creative and effective ways of tackling crime, anti-social behaviour and nuisance.

Collaboration – We will work with our partners at Greater Manchester Police and Rochdale Borough Council along with other agencies and registered providers to ensure that they are aware of our stance on ASB and work jointly with them to remedy behaviours and take action where appropriate and necessary to protect individuals and communities. We will also learn from others and ensure that we also learn from our actions and feedback from communities.

4 Policy Statement

4.1 Definitions

ASB is defined as per the Home Office's definition 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.
- 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 meaning directly or indirectly relating to our housing management functions).

This includes such behaviour carried out by a tenant, a member of his/her household, a family member or visitor at the dwelling house.

4.2 Hate Crime

Hate crimes are rooted in prejudice against others based on views people hold about difference. RBH will deal with hate crime as part of our commitment to promote equality and diversity and such incidents should also be reported to the police and we will take action where reasonable and appropriate to protect individuals.

4.3 Prioritisation

RBH will prioritise cases into High, Medium and Standard categories.

High – Cases involving violence or threats of violence and hate crimes. Response time within one working day. RBH expect reports of a criminal nature to also be reported to the police and RBH will work in conjunction with the police to establish an outcome or added protection is made available.

Medium – Cases involving damage to property. Response time within two working days.

Standard – Cases involving all other kinds of nuisance. Response time within five working days.

Sometimes customers report behaviour that is not anti-social in line with our definition. RBH will not take action in the following circumstances:

- If the complaint is trivial in nature for example putting wheelie bins out incorrectly.
- One-off parties.
- Children playing outside that is deemed normal behaviour and not to cause a nuisance to others.
- Name calling or disputes conducted on social media – unless this has a direct impact on our housing management function or puts employees or customers at risk of harm where the posts could be deemed malicious.
- Where the complaint is a simple difference of opinion between neighbours or staring.
- If the complainant is unwilling to give, evidence, diary sheets or otherwise co-operate with our investigation.

4.4 **Our Approach**

4.5 **Prevention and Early Action**

We will always seek to act quickly to resolve issues before they escalate. Our focus will be on understanding all views and setting out clear expectations on all sides in seeking mutually agreed action plans focussed on expectation and resolution.

RBH will collect data and highlight areas of concern to work with our officers and partners and the wider community to carry out initiatives designed to prevent ASB and to divert such behaviour with diversionary activities.

RBH will provide input into multi-agency meetings and statutory obligations with our partners to provide clear understanding and expectations on action and/or support.

4.6 **Range of Actions**

Where a simple, mutually agreed solution cannot be worked out, RBH will take appropriate action including but not limited to:

- Mediation
- Warning interviews/letters
- Acceptable Behaviour Contracts (ABC's)
- Parental Control Agreements (PCA's)
- Non-legal Undertakings
- Referral to another agency
- Restorative Justice

All available legal remedies including Injunctions, Possession Proceedings and Undertakings.

4.7 **Spotlight on Noise**

On 24th October 2022 the Housing Ombudsman Service published a report called Spotlight on Noise Complaints: time to be heard.

RBH are continuing to work with tenants and other housing providers to develop a proactive good neighbourhood management policy, distinct to this ASB policy, with a clear suite of options for maintaining good neighbourhood relationships.

RBH are developing a triage methodology for identifying when noise reports are made if they should be handled under this ASB policy or the good neighbourhood management policy.

4.8 Partnership Working

Often cases will require support and cooperation with outside agencies and RBH will actively manage respectful and efficient partnership working with a range of organisations including but not limited to Rochdale Borough Council, Greater Manchester Police, Probation Services, Victim Support, other registered housing providers, health and social care teams and private property owners. RBH will also seek to support and compliment Rochdale Borough Council's strategic objectives through joint working with the Community Safety Unit.

Links on how to conduct an ASB Case Review (formerly the Community Trigger) can be found on the Rochdale Borough Council website and a link is also available through RBH website under Anti-Social Behaviour.

Where the anti-social behaviour results in a criminal offence, we will expect those affected by it to also report the matter to the police and we will work with the police to take appropriate action in line with our procedures and the ASB Crime and Policing Act 2014.

4.9 Managing Risk

We will assess the risk level of each case using the locally agreed Risk Assessment Matrix (RAM) and make referrals where appropriate into the Anti-Social Behaviour Risk Assessment Conferences (ASBRAC) and attend the conference when a referral has been made.

4.10 Support for Complainants and Witnesses

The Officer assigned to a case will provide support both practical and emotional based on the RAM score for the case.

4.11 Vulnerabilities

RBH will always take into consideration vulnerabilities of both complainants and perpetrators of ASB. Where there is a wish to address underlying causes of behaviour such as drug/alcohol misuse and mental health issues RBH will offer assistance, signposting and make referrals to specialist support agencies. RBH will also consider internal support through Tenancy Sustainment Team if appropriate. RBH will also carry out Equality Impact Assessments to comply with the Public Sector Equality Duty (PSED) and carry out reviews internally to provide additional support where it can.

4.12 Publicity

Where appropriate, we will publicise work carried out by RBH and its partners to improve community confidence and to set expectations of behaviour.

A range of advisory guidance and ways to report or request services for ASB can be found on our website through reporting ASB.

4.13 Data Protection and Information Exchange

Where required we will share information with our partners for the purposes of prevention and detection of crime and disorder in accordance with the provisions of the Data Protection Act 2018 and any other relevant legislation. To facilitate this, we will enter into Information Sharing Protocols as required.

We appreciate that customers reporting ASB may be worried that their personal data will be shared with third parties and will only disclose this with the customer's consent or where it is lawful to do so.

4.14 Training our Employees

To ensure that the objectives of this policy are met, we will train all relevant employees on the commitments and expectations set out in this document and supporting procedure and the wider issues surrounding the effective management and response to all incidents of ASB.

4.15 Protecting our Employees

If any of our employees are subject to harassment, threats of violence, assault or anti-social behaviour as they go about their duties, RBH will take whatever action, legal or otherwise that is necessary to keep our employees safe in conjunction with our Employee Abuse and Violence Policy.

5 Monitoring

5.1 RBH will keep its ASB service under regular review and will continue to develop ASB reporting to track trends and monitor performance. This policy will be subject to reviews on a three-yearly cycle or in response to substantive changes to public policy or legislation.

5.2 RBH has a designated Anti-Social Behaviour Lead. The Neighbourhoods Service Lead will attend relevant multi-agency forums and be deputised by the Enforcement Team Manager in being responsible for ensuring the organisation is kept up to date with legislative changes and learns from best practice, complaints, determinations from the Housing Ombudsman Service and case reviews.

6 Review

6.1 All RBH strategies, policies, service standards and procedures are reviewed on a regular basis to ensure that they are 'fit for purpose' and comply with all relevant legislation and statutory regulations.

6.2 This policy will go through the full policy approval process every 3 years and will undergo a desktop review annually. This is to ensure that it is fit for purpose and complies with all relevant and statutory regulations.

7 Links with Other RBH Documents

7.1 This policy links to the following policies and legislation:

Policy:

- Safeguarding
- Domestic Abuse
- Employee Abuse and Violence
- Lettings
- Tenancy

Legislation:

- Housing Act 1996 (as amended)
- Crime and Disorder Act 1998 (as amended)
- Housing Act 1988 (as amended)
- ASB, Crime and Policing Act 2014
- Homelessness Act 2002 & Homelessness Reduction Act 2017
- Equality Act 2010
- Human Rights Act 1998
- The Data Protection Act 2018