



ANTI-SOCIAL BEHAVIOUR POLICY

1. INTRODUCTION

- 1.1 This policy sets out Seymour Housing Co-operative Limited's ("SHC", "we") approach to dealing with Anti-Social Behaviour (ASB).
- 1.2 SHC recognises that, left unchallenged, anti-social behaviour has a significant negative impact on the lives of our members and the community.
- 1.3 We will not tolerate ASB from members, their families, their friends, or their guests, and will help our members to effectively report, monitor and stop incidents of ASB.
- 1.4 SHC will take timely and coordinated responses to incidents of ASB and will endeavour to take a pro-active approach to preventing ASB occurring in the first place.
- 1.5 A comprehensive range of measures will be used to combat anti-social behaviour, as set out in SHC Anti-Social Behaviour Procedure document. The measures, which include speedy responses in serious cases, will be in stages appropriate to the level of anti-social behaviour suffered.

2. SCOPE OF THE POLICY

This policy applies to all SHC members, residents, staff, contractors and visitors, whether they are the perpetrator or the reporting party, where the ASB affects SHC's housing management functions.

3. AIMS AND OBJECTIVES

SHC will:

- 3.1 Commit to tackling all forms of ASB and ensuring that our members and other residents are able to enjoy peace, quiet and security in and around their homes.

- 3.2 Ensure we take a victim-centred and robust approach to tackling ASB, including prevention and intervention.
- 3.3 Take proactive action, in partnership with other institutions, to deal with ASB, offering early intervention to ensure members are able to self-manage lower-level issues that they may be experiencing.
- 3.4 Work with our members and others to define acceptable standards of behaviour within our community.
- 3.5 Maintain links with the Local Authorities and other neighbourhood-based strategies for tackling anti-social behaviour.
- 3.6 Work in partnership with communities and local organisations to ensure we tackle discrimination, promote equal rights and treat our members according to their needs.
- 3.7 Seek to develop a sense of community, mutual respect and support throughout our membership and within the local community.

4. DEFINITION

4.1 Anti-Social Behaviour (ASB), as defined in the Anti-Social Behaviour, Crime and Policing Act 2014 is:

- 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; or
- conduct capable of causing housing-related nuisance or annoyance to any person.

4.2 What constitutes anti-social behaviour

Anti-social behaviour can include, but is not limited to:

- a) **Any kind of criminal behaviour**, including the sale or misuse of drugs, handling stolen goods, criminal damage, offences, such as burglary, theft, fraud or assault.
- b) **Abuse, threats or violence.**
- c) **Harassment:** any act that means to or has the effect of violating a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment. This can include violence or threats of violence to other members and residents, to SHC staff, agents and contractors or to any other person; abusive or insulting words or behaviour; writing threatening, abusive or insulting letters, emails or graffiti; and making malicious or spurious complaints about a Co-op member.

- d) **Harassment on the basis of a Protected Characteristic (including race):** any type of behaviour or action, including those listed above, that is carried out against another person on the grounds of race, religion, nationality, sex, gender re-assignment, sexual orientation, disability or age. All such cases will be treated as serious and dealt with accordingly.
- e) **Domestic abuse**
- f) **Damage or threats to damage another person's possessions or property,** including their belonging or any part of their home.
- g) **Damage to SHC property,** including graffiti and vandalism.
- h) **Drugs and drunken behaviour:** drug dealing or persistent ASB caused by drinking or using drugs in the common areas.
- i) **Nuisance from pets and animals,** including fouling, noise from animals (including dogs barking), excessive odours from animals, keeping dangerous or unsuitable animals, using animals to intimidate or harass people, and lack of control and supervision of animals.
- j) **Persistent loud noise:** high-level noise outside acceptable hours which is persistent, deliberate or targeted and not caused by reasonable everyday activity.
- k) **Dumping rubbish,** fly tipping and littering common areas; hoarding items/rubbish.
- l) **Any breaches of tenancy conditions relating to ASB,** including untidy and unkempt gardens, failure to maintain the home, damage to the home and/or communal areas.

4.3 What does not constitute anti-social behaviour

SHC expects from its members a degree of tolerance to the different lifestyles of others and recognise that not everyone can expect to lead a life of complete peace and quiet in the areas where we live.

These are a few examples of what we will not consider as ASB:

- disagreements between neighbours where there is no breach of tenancy
- normal domestic noise (e.g. banging doors)
- sound from TV/radio, machinery, etc., at a reasonable hour
- children playing or crying
- walking across a floor
- people talking

5. LEGISLATION & GUIDANCE

SHC will make use of the powers made available to us, or to other partner organisations, who may be able to assist us in tackling anti-social behaviour, where appropriate. The powers are outlined in the following legislation and guidance:

- Anti-social Behaviour, Crime and Policing Act 2014
- Equality Act 2010

- Housing Act 2004
- Protection from Harassment Act 1997
- Human Rights Act 1998
- Policing and Crime Act 2009
- Crime and Disorder Act 1998
- Home Office Statutory Guidance for frontline professionals including social landlords on the use of ASB, Crime and Policing Act 2014

6. TENANTS RESPONSIBILITIES

SHC expects all its members to display acceptable standards of behaviour at all times, especially:

- to fully comply with the conditions set out in their tenancy agreement, particularly the clauses relating to anti-social behaviour, nuisance and harassment.
- to take responsibility for the behaviour and actions of their family members, relatives, visitors and pets in their property and communal areas and not to allow them to commit acts of ASB.
- to adhere to the SHC Code of Conduct.
- to sign and keep to the SHC Good Neighbour Agreement.
- to have respect for other tenant's different lifestyles and have a degree of tolerance for minor disturbances.

7. HOW WILL SHC DEAL WITH ANTI-SOCIAL BEHAVIOUR

SHC recognises the rights of individuals to a fair hearing and that there should be a presumption of innocence until the facts about any complaint of anti-social behaviour have been established. SHC also will work to ensure that all members and residents are treated fairly, consistently and equitably, taking into account any particular needs of a member or resident from a disadvantaged background.

SHC will take the following approach.

- 7.1 In any case of criminal behaviour especially anything involving threats of violence or actual violence, the matter should be reported to the police in the first instance.
- 7.2 SHC will not tolerate verbal or physical abuse against its volunteer members, its members of staff, agents or contractors working on behalf of the Co-op. We will take appropriate action to deal with abuse of this nature, using warning letters, injunctions (with the power of arrest if appropriate) and other forms of legal action to protect members, agents and contractors from anti-social behaviour, graffiti, criminal damage, harassment, threats and verbal or physical assault.

- 7.3 SHC will treat all racist and other hate related incidents very seriously and will take prompt and effective action against harassment wherever possible. We will consider an incident to be racist where the victim of the incident or any other person perceives the incident to be racist.
- 7.4 SHC does not tolerate any form of domestic abuse and will work to support domestic abuse survivors. SHC will take a strong and decisive approach to those who perpetrate domestic abuse and may consider all remedies as appropriate against the perpetrator including injunctions or eviction where it is safe and proportionate to take those steps.
- 7.5 Where the prime responsibility and power to lead an investigation lies with another service, such as the Police or the Local Authority, we will support the investigation and take any necessary supporting action.
- 7.6 SHC will not always be able to resolve certain disputes between neighbours, such as when there has been a complete breakdown of good relations or between neighbours who are leading very different lifestyles. We can only help if the perpetrator is breaking the terms of their tenancy; these disputes can be very difficult and time consuming to sort out, and we can only act if there is proof that harassment, nuisance or any other ASB has occurred. This proof could include keeping a diary of events (SHC office can supply diary sheets and advice on how to fill them in) and being able to support this with evidence from other neighbours, photographs, video or other recordings.
- 7.7 SHC will encourage and expect members to take responsibility for solving personal disputes between themselves, where appropriate, including collating evidence, liaising with other agencies and taking part in mediation.
- 7.8 Many issues can be resolved simply by talking to your neighbour who may not be aware that their actions are causing distress. However, SHC may offer mediation and other support to help members resolve these issues amongst themselves.
- 7.9 SHC will make an effort to bring about improvement in the behaviour of the perpetrator to ensure that further action is not required.
- 7.10 We will respond to reports of high risk ASB within one working day and lower risk cases within five working days (Monday to Friday).
- 7.11 SHC will encourage its members and local residents, who are suffering from any kind of anti-social behaviour, to report the problem to us as soon as possible, in person, by telephone, email, in writing, or through a third party (e.g. a Councillor, friend or relative). All complaints of ASB should be directed to SHC Office.

- 7.12 Complaints may also be made anonymously, but this may restrict the amount of investigation and action we can undertake and will not allow us to provide the complainant with information and support. Where complainants give us their names and addresses, these will not be revealed to any other party without the consent of the complainant other than for statutory confidential reporting to the Management Committee.
- 7.13 We will usually keep any information given to us confidential unless the person who has given us the information agrees that we can share the information. However, we will share information with third parties where we have an information sharing protocol in place, there are safeguarding concerns, or we have a duty to do so for the purpose of crime prevention under the provisions of the Crime and Disorder Act 1998.
- 7.14 Where information is given to other agencies, we will ensure that the information is accurate, relevant and sufficient for the purpose for which is needed, and that it will be kept securely and for no longer than necessary.
- 7.15 The Co-op will process personal data and information in line with the Data Protection Act 2018, General Data Protection Regulation and our Data Protection policy and procedures.

8. MEASURES USED BY SHC TO TACKLE ANTI-SOCIAL BEHAVIOUR

- 8.1 SHC will use a range of preventative measures, early intervention and legal action to tackle ASB. This includes the full range of tools and powers available to us, as outlined in the ASB, Policing and Crime Act 2014. The methods used will be proportionate to the seriousness, impact and frequency of the behaviour, the level of risk that it poses to those affected, and the evidence available to support the case. Wherever possible, SHC will seek to resolve issues of anti-social behaviour through dialogue prior to resorting to more formal and punitive measures.
- 8.2 Actions will be taken in stages with an emphasis on bringing about changes and improvements in behaviour of those who commit anti-social behaviour. If ASB persists, SHC will have no hesitation in taking further appropriate action.
- 8.3 In conjunction with other agencies, the measures that we might seek to use to tackle ASB could include:
- approaching the perpetrator and discussing the problem behaviour.
 - providing mediation between different parties if the ASB problem can be solved through this method.
 - warning letters.

- formal warnings and cautions.
- acceptable behaviour agreements.
- parental control orders.
- parenting orders.
- Environmental Health action for statutory nuisance (e.g. noise abatement notices).
- Civil injunctions issued by courts to prevent a particular behaviour.
- Criminal Behaviour Orders issued by courts.
- possession proceedings where there has been a breach of tenancy agreement.
- dispersal orders (via the Police).
- closure orders (via the Police and/or Local Authority under the powers of the Anti-Social Crime & Policing Act 2014).

9. SHC SUPPORT FOR COMPLAINANTS

- 9.1 SHC is aware that making a complaint about anti-social behaviour may cause considerable concern. Complainants will be able to discuss their concerns and what support may be available to them with the person allocated to deal with the case.
- 9.2 Complainants are not generally expected to act as a witness, as most cases of ASB are resolved without formal action. However, in some more serious cases where more formal action is required and if it is necessary to apply to Court for an Injunction or possession action, the case is likely to be assisted by complainants being prepared to act as witnesses to the action concerned. SHC recognises that acting as a witness in an ASB case may cause considerable anxiety and stress, and we are committed to doing all we can to support, reassure and protect complainants that are prepared to act as witnesses.
- 9.3 The level of support given will be tailored to meet the needs of the particular individual and the circumstances of the case. As a minimum standard, we will maintain regular contact with witnesses, keeping them as fully informed as possible throughout the process.
- 9.4 All members who wish to report an incident of ASB will be assessed for their risk and vulnerability to ensure the appropriate level of support can be provided and any safeguarding issues are identified – a copy of the Risk Assessment is attached to the Anti-Social Behaviour Procedure.
- 9.5 SHC can help vulnerable members to refer all crime, including threats or acts of violence, to the police.
- 9.6 SHC may consider an internal management transfer for those assessed as at risk, in line with the criteria outlined in our Allocations Policy

9.7 SHC will agree an action plan with the complainant and any witnesses and keep them informed of the actions we take. We will contact them when we close a case, outlining our reasons for doing so.

9.8 We will close a case after investigation and appropriate action is taken and where:

- it is successfully resolved;
- there are no further reports for a period of 6 weeks (unless we have begun legal action, or we are gathering further evidence) or earlier if agreed with the complainant;
- no further action can be taken.

9.9 SHC will take action against complainants for breach of tenancy where we find complaints of ASB to be malicious, persistent and unfounded.

10. SHC LONG TERM APPROACH

10.1 Wherever possible, SHC will take proactive steps to prevent anti-social behaviour occurring.

10.2 We will develop and foster a sense of community within SHC to ensure that all members feel a sense of mutual support and respect for each other. We expect all of our members to sign and keep to the Good Neighbour Agreement, promoting acceptable behaviours and educating all members of the Co-op on anti-social behaviour, its impact on others, and tolerance levels.

10.3 The Co-op will take care of the physical environment and be sensitive in its allocation's procedures.

11. TRAINING ON ANTI-SOCIAL BEHAVIOUR

11.1 SHC will provide staff, members and agents acting on its behalf with training, clear guidance, policies and procedures so that they can deal effectively with cases of ASB, use the appropriate enforcement tools, and are aware of the wider issues associated with ASB, including hate crime and safeguarding.

11.2 In particular, SHC will ensure that those tackling ASB on behalf of the co-op:

- are aware of issues surrounding anti-social behaviour, including the legislation and the powers available to tackle it.
- understand the importance of dealing with problems quickly.
- are able to record details of incidents fully and accurately.

- are able to provide the complainant with practical information, advice and support.
- are aware of the need to treat the complaint confidentially and sensitively.
- understand and are sensitive to diversity issues.

12. POLICY REVIEW & MONITORING

12.1 The Management Committee will monitor all ASB complaints. SHC will ensure all reports of ASB will be dealt with in the confidential section of the MC Meeting.

12.2 This is in order to:

- evaluate the effectiveness of this Policy and ASB Procedures
- identify key priorities and issues.
- understand the nature and location of areas where ASB is prevalent i.e. communal staircases.

12.3 This policy will be reviewed every three years unless legislation, business or sector developments require otherwise – to ensure that it continues to meet the stated objectives and take account of good-practice developments.

Related Policies:

Good Neighbours Agreement
 Anti-Social Behaviour Procedure
 Complaints Policy
 Equal Opportunities

Date Adopted:	13/12/2023
Next Review Date:	13/12/2026