

Anti-Social Behaviour Policy - GreenSquareAccord

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Customer Information Leaflets (where applicable)	To be developed by customer panels		
Forms and Other Links (eg hyperlinks for intranet-based storage of forms and documents and / or legislation or other helpful information)	https://asbhelp.co.uk/ https://www.suzylamplugh.org/Pages/Category/national-stalking-helpline http://www.anti-bullyingalliance.org.uk/ https://www.report-it.org.uk/what_is_hate_crime		
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1. Our Mission and Values

BUILDING BETTER LIVES

We exist to meet the greatest need in society through building better lives. We do this as both as an actively developing and tenant-focused landlord, and as a major provider of care, support and a range of local initiatives to address social injustice and inequality.

We empower people through tenant-led, co-operative and mutual housing – creating diverse neighbourhoods where each individual, family and community has the best opportunities to live independently. Through development we create quality new homes and sustainable communities where people can enjoy happiness, health and prosperity – the vital foundations for successful and fulfilling lives.

Where other services can no longer deliver, when opportunities dry up, when funding is unavailable, we remain the organisation that can and will help the people in the greatest need.

2. Overview

It is important that we publish clear and accessible policies, which outline our approach to tenancy management and anti-social behaviour so that our staff can effectively prevent and tackle ASB. In addition we will provide information and leaflets so that our customers know what to expect.

We recognise the negative impact anti-social behaviour has on our customers and the wider community and our first line of defence is to prevent ASB in the first instance but then utilise a range of measures and partnership working to manage ASB where prevention fails. This policy sets our approach to prevention, case management, roles and responsibilities and is applied to all tenure groups.

Properties managed on our behalf by another agency, will be in accordance with this policy where contractual terms allow.

This policy has been prepared and will continue to be monitored in line with the community cohesion strategies published by relevant local authorities and with the Neighbourhood and Community Standard as published by the Regulator of Social Housing (RSH)

3. Aims and Objectives

- *For our customers and future customers*
 - Once we grant a tenancy, we will do all we can to sustain this. This will include working with internal departments, external agencies and our customers in relation to preventing and tackling anti-social behaviour (ASB)

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- We will make it clear to all tenants their responsibilities and rights in relation to ASB. We will develop and report on KPIs in relation to ASB to our customer panels and wider customer base
- We will have a strong focus on preventative measures tailored towards the needs of tenants, their families and communities generally.
- We will take prompt, appropriate and decisive action 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. Our responses and actions will be proportionate to the severity of the case and we will also set out those circumstances where we are not able to intervene
- We will take a victim-centred approach, ensuring that all tenants and residents 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
- We will provide support to victims and witnesses as reasonable and appropriate, working with, and signposting to, other agencies as appropriate. This will include setting out for customers what and how any evidence should be collected and recorded
- We will work to support all customers according to their needs, making specific provision for customers with vulnerabilities
- *For our communities*
 - We will work to tackle and prevent anti-social behaviour
 - Within our new wider geography GreenSquareAccord will seek to ensure parity of outcomes for our various communities
 - We will help support community cohesion by offering, where possible, periodic life-time tenancies rather than fixed-term tenancies
 - We will work within The Antisocial Behaviour, Crime and Policing Act 2014 to support residents who have reported an incident three or more times within a 6 month period and are dissatisfied with how we have managed their case to activate a Community Trigger. The Community Trigger is a tenant's right to request a multi-agency case review.
- *For our stakeholders*
 - We will meet the requirements set out by our regulator.
 - We will work with local authority partners in developing their strategies, in delivering their objectives and in helping to deliver community cohesion.

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- We will co-operate with local partnership arrangements and strategic housing functions of local authorities we are able to assist them in achieving their objectives
- We will publish our policy on how we will work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where we own properties

4. Impact Assessments and Key Considerations

- Customers

We aim to increase our customer satisfaction levels by dealing with ASB effectively

Our approach will take account of the diversity of our residents in offering a range of solutions to suit different customer needs and changing circumstances as well as providing mechanisms to support vulnerable customers

We will make clear roles and responsibilities and ensure our residents have fair access to appropriate information and solutions for preventing and dealing with ASB and provide translation services for community languages when required.

- Communities

We expect our customers, as part of their local community, to ensure that they, their family and visitors act in a considerate and reasonable way to their neighbours, the community, employees and contractors of GreenSquareAccord.

We expect customers to try resolve dispute or disagreement themselves when it is safe to do so and we can provide advice on how to do this. In situations where self-help has failed we will work and support customers and communities to enable the effective management of ASB

- Planet

To support our move to carbon neutrality and to be as responsive to customers' needs as possible we aim to collect email addresses and mobile phone numbers of our customers so we can communicate effectively and with reduced printed paperwork in relation to ASB. Our commitment to locality working means we will seek to reduce travel wherever possible

- Governance

Board approval is required for this Anti-Social Behaviour Policy and it has been subject to review by our Customer Panels

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We will review this Policy in line with any changes to the Neighbourhood and Community Standard as published by the RSH and in line with prevailing good practice

As part of our commitment to deliver an economical, efficient and effective service, we will use external benchmarking services and best practice groups to monitor our costs and service outcomes.

We will ensure that in handling the personal data of our customers we will abide by the UK GDPR and Data Protection rules.

- Partners

We may also make use of external agencies to provide information, advice and guidance to our customers, including in respect to the Community Trigger.

We will also aim to signpost customers to support networks and toolkits

- People

We will make sure our people are appropriately trained and understand how to implement this policy and the associated procedures

We will ensure our people take a victim-centred approach and support customers through what can be fearful and traumatic experiences.

We will ensure we have the skills and expertise to conduct most legal work in-house. We will seek external legal support where this is required

5. Definitions

ASB – Anti-Social Behaviour:

GreenSquareAccord is enabled by law to challenge any person, regardless of tenure, if that person's conduct falls within the remit of the definition set out in S 2 (1) of the Antisocial Behaviour Crime and Policing Act 2014 which states:

In this Part "anti-social behaviour" means

- a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person;
- b) conduct capable of causing a nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
- c) conduct capable of causing housing-related nuisance or annoyance to any person.

"Housing-related" means directly or indirectly relating to the ability to perform our housing management function.

In addition Home Office Guidance sets out activities which are anti-social and / or criminal activity

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- Noise Nuisance
- Fly tipping
- Harassment
- Racial Harassment
- Disorder arising from alcohol abuse
- Dealing in illegal drugs
- Intimidation
- Kerb-crawling
- Domestic violence and abuse
- Nuisance vehicles
- Corporate Nuisance
- Verbal Abuse
- Dangerous animals
- Damage to property
- Joyriding

Harassment

Harassment is defined as “the act of systematic and/or continued, unwanted and annoying actions of one party or a group, including threats and demands”.

The main types of anti-social behaviour in this category are:

- Hate incidents where the abuse involves your race, religion, gender, sexual orientation, age or disability
- Intimidating behaviour
- Violence or the threat of violence to another person
- Abusive language
- Malicious phone calls, texts and emails
- Stalking
- Begging
- Hoax calls to the emergency services or other third parties
- Animals not properly restrained in public places

Hate Crimes

A hate crime happens when a person is targeted because there is a hostile attitude or prejudice towards their:

- disability
- race or ethnicity
- religion or belief
- sexual orientation
- transgender identity

Hate crime is a form of harassment that is very serious

Neighbour Disputes

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Neighbour Disputes are where two neighbours disagree about something that then becomes a source of distress and **frustration**. It is common for both sides of the dispute to have done things to annoy the other person. As a result it can be difficult for us or other agencies to unpick the situation and work out who is the victim and who is the perpetrator. Often both are victims and both are perpetrators.

Mediation is often the best way forward to get both sides to talk and try and find a way to resolve the issues. Both neighbours will need to agree to this and so it is not always possible to use this method. Where mediation is refused or unsuccessful, GreenSquareAccord and / or agencies may choose to take action against both parties to stop the problem.

Safeguarding

Safeguarding is a Statutory framework which applies to both children and vulnerable adults

Safeguarding children:

The Working Together to Safeguard Children 2018 statutory guidance document sets out the responsibilities that all organisations in England must fulfil to safeguard children and young people (which applies to anyone under the age of 18). It explains the need for local authorities (including the police and health services) and other relevant agencies to coordinate with each other, so they can appropriately respond to safeguarding concerns and promote children's welfare.

Safeguarding adults:

The Care Act 2014 identifies that the duty to safeguard adults applies to an adult who:

- has needs for care and support (whether or not the local authority is meeting any of those needs) and;
- is experiencing, or at risk of, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

6. Our Policy

- Policy Statement

GreenSquareAccord takes anti-social behaviour, harassment and hate crime seriously and will not tolerate it in any form. We use preventative measures, early intervention, partnership working, support and legal action to tackle anti-social behaviour; our objective is to act quickly delivering a swift, proportionate and flexible response which is victim-centred.

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- Policy Outline

Prevention is our first line of defence, but this policy also outlines the differing circumstances, where we are able to act. For a significant number of ASB cases, our actions are likely to be in conjunction with other agencies such as the police

Examples of incidents that will be managed in line with this policy include:

- Actual violence/threats of violence against people or property
- Hate-related incidents
- Verbal abuse, harassment, intimidation or threatening behaviour
- ASB related to drug or alcohol use
- Domestic abuse and violence
- Noise that is persistent and capable of causing nuisance or annoyance to a reasonable person
- Persistent pet and animal nuisance where the animal's behaviour is capable of causing nuisance or annoyance to a reasonable person
- Vandalism and criminal damage to property

Hate crime and hate incidents

An incident of anti-social behaviour that is perceived to be motivated or targeted towards a person because of hostility or prejudice towards disability, race or ethnicity, religion, transgender identity or sexual orientation will be classified as a hate incident and treated very seriously.

Hate incidents can take many forms including, but limited to, verbal abuse, harassment, intimidation, physical violence or threats of violence, online abuse, inciting others, damage to property, graffiti, malicious complaints. Hate related incidents should also be reported to the police.

GreenSquareAccord will not tolerate hate related behaviour and will work with the police to take swift and effective action against perpetrators where necessary.

7. Policy Scope

This policy applies to customers of Accord Housing Association Ltd and Westlea Housing Association (both trading as GreenSquareAccord) across all tenures.

7.1 Tackling Anti-Social Behaviour

This policy and associated procedure sets out how we manage anti-social behaviour through prevention, support and enforcement.

7.1.1 Prevention

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- We use a housing and support needs assessment for new applications to identify risk and support needs prior to allocation and request a previous landlord reference, this allows us to provide support and or monitoring to these households who, due to their vulnerabilities may be more susceptible to inadvertently causing ASB
- We include concerns about proven “previous conduct” as a reason for refusing a letting
- We will use lettings plans, starter tenancies, good neighbour agreements, acceptable behaviour agreements when appropriate, ensuring that all customers know and understand what is acceptable behaviour and what is not
- Where possible, on new developments, we will operate “getting to know you” sessions for all new neighbours to build a sense of community. In addition, where possible we will also undertake collective Tenancy sign-ups so all customers hear the same messages about rights, responsibilities and what is reasonable in the same way and at the same time

7.1.2 Support

- We will provide examples of what is reasonable with reference to the differing tolerance levels in relation, for example, to noise nuisance, to help customers understand what incidents should be reported and which incidents need a degree of tolerance or should be ignored. Everyone has a responsibility to help build community cohesion and sometimes unreasonably reporting a “one off” or minor incident can actually cause community tension.
- We will provide a number of reporting methods including telephone, email, through our website, via our customer portals, in person and by using our reporting App so enable customers to raise concerns
- Where criminal behaviour is at the route of the issue we will support customers to make the appropriate reports to the police.
- We will respond to reports swiftly based on the impact of the report providing the name of a dedicated case officer where appropriate
- We will use and regularly review the risk assessment matrix (RAM) to identify support requirements for complainants, witnesses or others impacted by the behaviour.
- We will agree an action plan and frequency of contact where action is required
- We will identify vulnerability or additional support needs or safeguarding concerns and make appropriate referrals to specialist agencies
- Promote multi-agency working to work and find solutions together
- We will deal with graffiti, property damage and security issues quickly
- We will support with offers of temporary accommodation where appropriate and in permanent moves where these are required
- Where appropriate we will encourage and support the setting up of Neighbour Watch and other support groups

7.1.3 Enforcement

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- We will ensure our staff are trained to effectively identify and manage ASB appropriately
- We will be clear on the range of interventions and solutions available and operate in transparency
- We will use a range of informal and formal intervention measures that are reasonable and proportionate to effectively deal with ASB
- We will review individual case work and use customer feedback to ensure we are operating an effective service

7.2 Customer Expectations

We expect customers to try to prevent issues arising in the first place and to also resolve disputes or disagreement themselves when it is safe to do so and we can provide advice on how to do this. In situations where self-help has failed we will work to support customers to enable us to effectively manage ASB

In cases where a complainant wishes to remain anonymous, depending on the level of anonymity and information received this may limit our ability to investigate and resolve their complaint. In these cases we will look to provide solutions to support the complainant's involvement. For incidents relating to safeguarding, hate or criminal activity we have a duty of care and may not be able to guarantee anonymity.

Where a customer is dissatisfied with the outcome of their case and wants to appeal / ask for a review, this will follow our complaints policy and procedure, or can be raised via a Community Trigger. In cases where legal action is taken, any appeal against outcomes must be dealt with via an appropriate legal mechanism

7.3 What we will not investigate

We expect a reasonable level of tolerance towards the lifestyles of others and will seek to make a fair evaluation on complaints that could be considered as part of everyday life. In these instances the responsibility to resolve the dispute will lie with the complainant. Examples of behaviour generally not considered to be anti-social include:

- babies crying
- breakdown in relationships where this is not in relation to domestic violence or does not otherwise create ASB or noise issues for other customers
- children falling out with each other
- children playing
- cooking smells
- disputes over placement of refuse or recycling bins, unless this is in relation to inappropriate use of bins or inappropriate storage or disposal of refuse
- one-off incidents such as a loud noise, a party or dog barking
- parking issues
- reasonable actions that are considered to be part of everyday activities
- reasonable household noise, to include walking in an upstairs flat, children playing in an upstairs flat
- unpleasant or inconsiderate behaviour or actions which amount to people being generally unpleasant to one

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- giving dirty looks or stares
 - intolerance of others' lifestyles unless this is considered a hate crime
 - minor garden disputes
 - name calling and social media disputes unless it is deemed to be harassment or hate crime
- another but cannot be categorised as harassment

8. Roles, Responsibilities and Duties

8.1 Executive

The Managing Director (North) is responsible for:

- the regular review, implementation and monitoring of this policy and for reporting to boards, committees and customer panels as required.
- negotiating strategic partnerships with local authorities and other partners
- oversight on internal and external audit reports and for providing board assurance in relation to regulatory compliance

8.2 Head of Service

Heads of Service are responsible for:

- The development of procedures, customer information and leaflets and for producing KPIs
- liaison with local authorities, the police and other RPs in relation to Community cohesion and ASB strategies
- agreeing additional legal expenditure
- Approving permanent rehousing where necessary
- participating in external benchmarking
- providing local reporting -eg to co-op partnership boards and local customer groups
- ensuring that team responsibilities are reflected in meetings and performance reviews, and appropriately covered within departmental business plans, standard operating procedures, contingency plans and strategies.
- Maintaining oversight on serious cases of ASB to ensure timely and appropriate action and communication

8.3 Departmental Managers

Departmental Managers are responsible for:

- Regular oversight of all cases of ASB within their team
- approving mediation
- investigating any serious cases of ASB
- approving offers of temporary accommodation in relation to ASB or domestic abuse
- approving the extension of a Starter Tenancy from 12 to 18 months

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- approving the ending of a Starter Tenancy
- ensuring staff are well-trained and supported to deliver
- preparing information for reporting and monitoring purposes
- monitoring that standards are complied with
- take action where data standards fall below those expected

8.4 Operational Staff

Operational staff are responsible for:

- issuing appropriate information, advice and guidance to customers in relation to ASB
- Undertaking tenancy checks and ASB interviews with customers
- Investigating instances of alleged ASB and providing appropriate documentation to customers eg diary and incident-logging sheets
- Supporting customers and / or signposting in relation to ASB
- Preparing legal paperwork, if necessary, for possession or injunction action
- Carrying out qualitative surveys following the closure of an ASB case

8.5 Working Groups

Working Groups will be set up as and when to consider improvements and changes to this policy and other associated policies and procedures

8.6 All Staff

Every member of staff is responsible for:

- delivering a customer-led service and for suggesting ways to improve and enhance the customer experience;
- preventing and / or responding effectively to complaints and concerns about ASB
- Recording information in a timely and accurate way having regard to UK GDPR, Data Protection rules and the Data Quality policy
- Staff must ensure that they comply with the requirements of this and other policies and procedures relating to their role.

9. Monitoring and Reporting

9.1 Data Recording

The fundamental principle of data quality and recording is that data should be right first time, which means that the responsibility is held at the point at which it is collected and recorded, whether the person recording the information is clinical, technical or clerical.

9.2 KPIs

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We will aim to achieve customer satisfaction with how we have managed their case in excess of 75%.

9.3 Monitoring Effectiveness

We will review our policy and procedure bi-annually to ensure that they are effective and comply with current legislation and good practice.

9.4 Reporting Fora and Frequency

9.5 (i) Internally

- Monthly performance reports at individual and team level
- Quarterly Executive team reports at Directorate level
- Quarterly Committee reports at Directorate level
- Board reports at Directorate level (frequency to be determined)

9.4 (ii) Externally

- Local authority returns as required
- Via Community Trigger feedback

10. Quality Assurance

10.1 Internal Audit

Adherence to this policy will be routinely assessed – on a risk-based basis - by the internal audit function.

In addition, line managers should ensure that regular spot checks are carried out to identify and remedy any issues as well as ensuring that all cases are subject to robust case management arrangements and are require regularly depending on severity

10.2 External Audit / Validation

Adherence to this policy may be audited / validated by the following external bodies:

- Multi- Agency Panels
- Via Housing Ombudsman Complaints
- Community Trigger feedback
- RSH via In-Depth Assessment

10.3 Service Standards

Customers will be involved in developing service standards and in monitoring and scrutinising performance

11. Communication, Implementation and Training

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- Line managers will ensure that this policy and any team responsibilities are communicated as appropriate and reflected in meetings and performance reviews, and appropriately covered within departmental business plans, standard operating procedures, contingency plans and strategies. Staff may be asked to confirm they have received and understood the details of this policy
- Where policy reviews, audits or performance indicate the need for whole-scale change, then a fit-for-purpose implementation project plan will be produced and delivered.
- All staff will receive adequate training in the use of policies, documentation, systems and records required as part of their role. Induction, supervision and appraisal processes will be used to monitor staff's understanding and compliance with expectations.
- Where anomalies indicate changes are needed to training programmes, changes will be made to reduce the risk of recurrence and ensure expected standards are clear.

12. Legal and regulatory framework

The RSH states that, 'Registered providers shall publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties

<https://www.gov.uk/government/publications/neighbourhood-and-community-standard/neighbourhood-and-community-standard-2015>

This policy complies with section 218A of the Housing Act 1996 which places a duty on social landlords to publish their anti-social behaviour policy.

- **Anti-Social Behaviour Act 2003;**
- **Anti-Social Behaviour Crime and Policing Act 2014;**
- **Crime and Disorder Act 1998;**
- **Disability Discrimination Act 2005;**
- **Domestic Violence Crime and Victims Act 2004;**
- **Freedom of Information Act 2002**
- **Housing Act 1988,1996 & 2004;**
- **Housing and Regeneration Act 2008;**
- **Human Rights Act 1998;**
- **Police and Justice Act 2006;**
- **Police Reform act 2002;**
- **Prevention of Social Housing Fraud Act 2013;**
- **Protection from Harassment Act 1997;**
- **Regulation of Investigatory Powers Act 2000;**
- **Respect Standard 2007 and subsequent amendments.**
- **Equality Act 2010**

13. Information Sharing and Confidentiality

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- 13.1** Management information produced from tenant/ customer data is essential for the efficient running of GreenSquareAccord and to maximise utilisation of resources for the benefit of tenants, customers and staff. It supports making effective decisions about the deployment of resources, and also in demonstrating the value of the services provided
- 13.2** In addition to its housing services, GreenSquareAccord operates a significant number of care and support services which require high levels of personal and sensitive data being appropriately recorded and managed. High quality information means better care, support and customer safety, and there could be potentially serious consequences if information is not correct and up to date, both for customers and for the organisation as a whole.
- 13.3** GreenSquareAccord is committed to protecting the Confidentiality, Integrity and Availability of all Personal Data that it holds and to complying with all of the necessary Data Protection Laws in line with the highest standards of ethical conduct.
- 13.4** Data must be stored securely and processed in line relevant legislation and Accord procedures in relation to confidentiality. All staff must pay due regard to where they record information, what they record, how they store it and how they share information ensuring that they comply with national and local requirements, policies and procedures.
- 13.5** We will only allow the transfer of Personal Data from, or allow access to, Third Parties when it is assured that the information will be processed legitimately and protected appropriately by the Third Party.