

Anti-Social Behaviour Policy

1.0 Policy statement

- 1.1 We understand the impact that anti-social behaviour (ASB) can have on customers and communities. This policy sets out a broad framework for how we help find solutions to ASB within the communities in which we operate, ensuring they remain safe, thriving places to live.
- 1.2 We are committed to tackling ASB responsively and effectively and in accordance with legal and regulatory requirements. We will clearly define what ASB is to our customers and ensure we manage expectations where reports do not constitute ASB.
- 1.3 We will build and maintain strong partnerships to ensure appropriate support for victims of ASB.
- 1.4 We will adopt a believing position when dealing with reports of ASB and will provide a response based on the individual needs of our customers.
- 1.5 We will work to promote empowerment, resilience and tolerance, ensuring that we intervene in issues where it is appropriate to do so.
- 1.6 We will develop and adopt a **harm-based triage approach** as part of our response to anti-social behaviour. Different people will be affected by ASB in different ways. If a customer is isolated, without a support network in place, has health issues or other life challenges, such as financial hardship, then their resilience may be lower and their ability to deal with the ASB they are experiencing is reduced. A harm-based approach to ASB recognises and incorporates the above.
- 1.7 We will categorise ASB by the severity of it, by looking at both the behaviour type and the impact that the behaviour is having. Where risk factors are identified and action is taken accordingly. This ensures we can prioritise our responses based on the impact on the customer, and any vulnerability, rather than benign 'categories' of ASB.

2.0 Policy scope and objectives

- 2.1 This policy relates to all customers and communities owned and managed by Stonewater.
- 2.2 Where the property is managed by another provider the landlord or managing agent's policies will apply. However, where ASB impacts our 'housing management function', we will work in partnership with other agencies and take action accordingly.
- 2.3 Our Neighbourhood Management Policy sets out our approach towards neighbourhood management in line with our strategic priority to provide happy and healthy communities. There are links to this policy in terms of how we will encourage good neighbourliness, and what we will do to address issues in communal areas and/or issues that don't constitute ASB under this policy.

- 2.4 Our Vulnerable Persons Policy sets out our approach in relation to the provision of accommodation and services to customers who may be vulnerable, ensuring that Stonewater is responsive to the needs of our customers.
- 2.5 Our separate Domestic Abuse Policy sets out our survivor-centred approach to domestic abuse. There are links to this policy in terms of the action we will take in relation to perpetrators of domestic abuse.
- 2.6 Our Access to Housing Policy provides for how we consider applicants for housing as part of the lettings process. This may include taking a risk-based approach to restrict lettings with a history of ASB by way of a local lettings agreement.
- 2.7 Where our colleagues, contractors or agents are subject to ASB; we may consider action under this policy and/or under our Managed Relationships Policy.

3.0 Definitions

Anti-social behaviour

- 3.1 Stonewater use the definition as outlined in Section 2 of the Anti-social Behaviour, Crime and Policing Act 2014:
- a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person
 - b) Conduct capable of causing 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.
- 3.2 **Housing related conduct** means nuisance and annoyance which directly or indirectly relates to our housing management functions. This means any person and not just those who are a tenant or customer of Stonewater.
- 3.3 **Behaviour we do not consider to be ASB**, or situations where we are unable to intervene may include:
- a difference in lifestyle where no ASB is present
 - entrenched personal disputes
 - minor neighbour disputes
 - unintentional/accidental behaviour of children
 - children playing (unless engaging in ASB)
 - parking disputes
 - boundary issues

- unpleasant but minor actions (such as staring)
- proportionate day-to-day household noise for example TV, music, radio, electrical items including washing machines and hoovers and DIY at reasonable hours
- BBQs and celebrations
- cooking odours and reasonable household smells
- minor car maintenance
- reports that are not supported by evidence

This list is non-exhaustive.

Where we do not consider the matter to amount to ASB, appropriate advice and information will be provided in line with our Neighbourhood Management Policy, we will encourage tolerance and/or the customer to resolve the matter themselves.

Hate incidents

3.4 We have adopted the definition of ‘hate incident’ used by the Home Office and the Association of Chief Police Officers (“ACPO”):

“Any incident which constitutes a criminal offence, which is perceived by the victim or any person as being motivated by prejudice or hate”.

3.5 We are committed to tackling all forms of hate incidents that target people based on their age, disability, gender reassignment, ethnicity, religion or belief, sex, sexual orientation or any other protected characteristic outlined in the Equality Act 2010.

3.6 We will investigate any incident as a hate incident as per the above definition at 3.5; this means where any person perceives the incident to be motivated by prejudice or hate.

4.0 Policy objectives

4.1 Through the implementation of this policy, we will:

- set out our commitment for finding solutions to tackle ASB
- ensure our service is shaped by the needs of our customers
- seek to manage our customers’ expectations
- encourage customers to resolve matters with their neighbours where it is safe and appropriate to do so - this may include referring to our Neighbourhood Management Policy
- ensure that our colleagues, contractors and partners are supported to do their work safely and free from ASB

- ensure that a balance of support, prevention and enforcement is maintained
- ensure that interventions are reasonable, proportionate and evidence based
- ensure effective communication to customers
- consider ASB in reviewing and determining whether to offer tenancies, mutual exchanges or transfers
- promote our service using media (including social media), our website and customer communications
- develop and maintain effective partnerships with relevant agencies
- act in accordance with legal and regulatory requirements.

5.0 Policy detail

5.1 Prevention and early intervention

- 5.1.1 Stonewater understands the importance of prevention and acting quickly to prevent issues from escalating, ensuring our homes remain safe places to live.
- 5.1.2 Where we have the opportunity in our new developments, we will consider ASB related issues in the design.
- 5.1.3 We will carry out estate inspections and use ASB 'hotspot' mapping data to identify opportunities to 'design out' ASB through the use of physical measures, and where appropriate we will use behavioural science techniques to encourage greater social responsibility.

5.2 Our response to ASB

- 5.2.1 We will fast track serious cases such as hate crime incidents, domestic violence/abuse, high-harm and cases where there are significant vulnerability issues. In these cases, Stonewater will make contact with the complainant within one working day in order to agree an Action Plan.
- 5.2.2 All other reports will be dealt with in accordance with corporate Customer Service Standards.
- 5.2.3 Where we do not believe we have a responsibility or feel we cannot intervene, we will tell the customer and make our reasons for this clear.
- 5.2.4 When working with our partners in ASB where we may not be the lead agency, we will ensure that we continue to investigate and take reasonable action to support our customers. Examples of where we may not be the lead partner agency may be:
- police are investigating a crime and/or criminal activity
 - Environmental Health are investigating noise or other statutory nuisance.

- 5.2.5 When a customer makes contact to report ASB, we will agree a clear Action Plan with them. This will set out specific actions and timescales to progress the investigation. The Action Plan may be subject to change as the investigation progresses and the customer will be updated should this be the case.
- 5.2.6 The Action Plan will always establish the frequency and method of contact between the customer and the case owner.
- 5.2.7 We will record and monitor cases and incidents of ASB to maintain a clear audit trail of actions and will ensure that customers are kept informed.
- 5.2.8 We will provide appropriate training to staff to ensure that they are fully aware of the tools and powers available to them and know how to use them appropriately.
- 5.2.9 Stonewater will adopt a problem-solving approach and make use of all tools available to us to tackle incidents of ASB.
- 5.2.10 Where incidents warrant more formal action due to their severity and/or intensity, we may utilise the following tools and powers (non-exhaustive):
- acceptable behaviour agreements
 - civil injunctions (and any other injunction or legal undertakings)
 - possession action (including the 'absolute' ground)
 - community protection notices (in partnership with the local authority)
 - closure notice/orders (in partnership with police/local authority)
 - warnings
 - good neighbour agreements
 - mediation
 - conflict resolution.
- 5.2.11 We will seek innovative ways to help gather supporting evidence such as: customer and/or, colleague reports, local authority and police evidence, CCTV, App based technology, smart phone and video doorbells.

5.3 Supporting our customers and communities

- 5.3.1 We recognise that the needs of those experiencing ASB, will differ person to person. On opening a case, a tailored Action Plan will be agreed which will include specific steps we will take and the frequency and method of contact. It will also include any agreed steps we expect the customer to take as part of the Action Plan.
- 5.3.2 Where counter-allegations of ASB are received during the course of an investigation, we will consider agreeing a new Action Plan with that customer.

- 5.3.3 Where we have safeguarding concerns we will always raise these appropriately with social services and/or the police if there is an immediate safety concern.
- 5.3.4 We will endeavour to identify root causes of ASB. Where the issue is because of an underlying vulnerability, or issue such as domestic abuse, we will respond accordingly ensuring that customers are protected and will work with partners, referring or signposting to specialist organisations to access to appropriate support.
- 5.3.5 Where we identify vulnerabilities in our customers during an ASB case, we will consider our Vulnerable Persons Policy to ensure we meet their needs and make any reasonable adjustments (where appropriate).
- 5.3.6 We will consider, where relevant, any rights the perpetrator may have in terms of the Equality Act 2010 or the Human Rights Act 1998 and where necessary will weigh up whether taking action is a proportionate means of achieving a legitimate aim.
- 5.3.7 When deciding on any action or sanctions, we will give due regard to Public Sector Equality Duty (PSED).

Information sharing and confidentiality

- 5.3.8 We will respect confidentiality, and anonymity when reporting ASB (other than from where issues relating to safeguarding or criminality are raised).
- 5.3.9 We will share information for the purpose of preventing and detecting crime and disorder with our partner agencies (under Section 115 of the Crime and Disorder Act 1998). Information will be shared with other agencies, where there is a duty to do so, or where information sharing protocols are in place.

5.4 Accountability and innovation

- 5.4.1 We will ensure that it is as easy as possible for customers to report issues to us and we will take reports of ASB. We will also take reports from our customers, members of the community, our partners, the police, advocates, resident's groups and other agencies.
- 5.4.2 We will accept anonymous reports but will make it clear that this may limit the action we can take.
- 5.4.3 We will ensure that any person wanting to activate their local ASB Case Review (formerly Community Trigger) is advised how to do this. We will fully participate in case reviews where the local ASB Case Review is activated and will follow appropriate recommendations.
- 5.4.4 We will ensure robust quality assurance in our case management; which will include regular case reviews and by a manager or senior colleague.
- 5.4.5 We will adopt any new amendments to ASB tools and powers brought in by the Criminal Justice Act (and/or any other new legislation introduced).

- 5.4.6 Through scrutiny, engagement and involvement; we will look for opportunities for customers to shape the direction of the service.
- 5.4.7 Adopt the procedural recommendations made by Housing Ombudsman Service (HoS), in their spotlight reports. Particularly in ‘Spotlight on: Noise Complaints’.
- 5.4.8 We will ensure we learn, improve and innovate our approaches to tackling ASB. This includes adopting, developing and sharing best practice with our peers and partners such as:
- The Housing Ombudsman Service
 - Chartered Institute for Housing (CiH)
 - Resolve ASB
 - ASB Help
 - Government departments (such as Department for Levelling up, Housing and Communities).

6.0 Responsibilities

- 6.1 The Customer Experience Director has ownership of this policy, ensuring appropriate review.
- 6.2 The Performance and Delivery Manager – Resolution will ensure that operational service delivery is effective and in accordance with this Policy, legislation and good practice, undertaking quality assurance and internal reviews as appropriate.
- 6.3 Relevant operational teams are responsible for responding to ASB reports and acting in accordance with this Policy and associated procedures.

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