



# Anti-Social Behaviour Policy

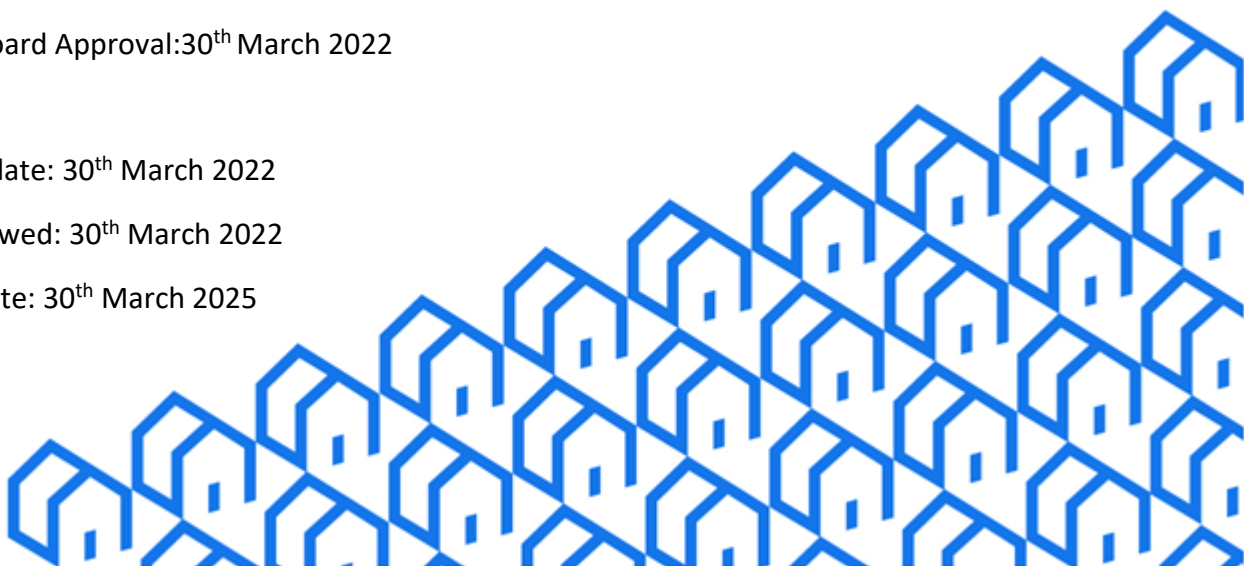
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## Introduction

Empower Housing Association (EHA) are dedicated in ensuring that we provide our tenants with a safe and secure environment in which they can live and will do all we can to prevent any form of anti-social behaviour (ASB), harassment or hate crime.

We are committed to providing an excellent service to stop ASB and help maintain respect for you and others within your neighbourhood/environment. We will work in partnership with all persons/parties/organisations involved to deliver these commitments and EHA's company objectives as well as meeting the requirements of the regulator.

This policy supports our goal to have a positive impact on people and communities. The purpose of this policy is to protect our tenants and people living or working in our neighbourhoods by reducing ASB and crime

## Objectives

This policy sets out in general terms the approach of EHA to tackling ASB and working with tenants who experience such behaviour. The development of this Policy reflects the existing statutory obligation of section 12 Anti-Social Behaviour Act 2003 which requires us to prepare a policy and procedure on ASB and to publish the same.

We recognise that preventing and tackling ASB effectively will have a positive impact in our neighbourhoods. Our key objectives are to:

- Enable our tenants to live happily in their home without unreasonable disturbance from others by preventing incidents and re-occurrence of ASB in the properties we are Landlord to
- Ensure that we respond to reports of ASB as quickly and effectively as possible using a variety of approaches
- Take a customer-centred approach and ensure that appropriate support and timely updates are provided to reporters and witnesses at every stage of the case
- Work with vulnerable residents, both reporters and subjects, and partner agencies to provide a holistic and appropriate response to deal with ASB

- Assist subjects to change their behaviour and sustain their tenancies, where possible, and ensure they have access to the relevant support through early intervention. Where necessary, we will take reasonable and proportionate enforcement action against subjects who may or may not be our tenants
- Not tolerate any behaviour that is designed to threaten, intimidate, or abuse our staff or contractors.

### **What is Anti-Social Behaviour?**

ASB can cover a range of issues from inconsiderate behaviour to criminal behaviour. We have adopted the following definitions of ASB being conduct that:

- Is capable of causing nuisance or annoyance to any person and the said conduct directly or indirectly relates to or affects our housing management functions: or
- Consists of or involves using threatening to use their homes and neighbourhoods for an unlawful purpose.

We consider the following to be examples of ASB, examples are not exhaustive or exclusive:

#### Personal

- Violence against people and/or property
- Aggressive or threatening behaviour or language
- Any form of hate behaviour that targets members of identified groups because of their perceived differences
- Domestic violence or abuse
- Intimidation and/or harassment
- Making false or malicious complaints about another person

#### Neighbouring

- Alcohol and/or drug related ASB

- Using a property for illegal or unlawful purposes i.e the production, storage/selling of illegal substances, the storage of stolen goods
- Noise nuisance such as shouting, banging/slamming doors, loud music etc
- Litter, graffiti or dumping rubbish such as fly tipping
- Nuisance from vehicles including abandoned vehicles

### **What EHA will not class as Anti-Social Behaviour?**

There are some complaints EHA will not investigate and these will be set out in our Anti-Social Procedure. Examples of these are:

- Normal household noise which happens between 9am to 10pm such as washing machine noise, doors closing, low level TV or radio noise. These are considered as normal household noise.
- Neighbours smoking cigarettes, cigars and pipe tobacco in their own self-contained home
- One off DIY noise from power tools that happen between reasonable daytime hours, usually 9am to 6pm
- Parking on road or in an available parking space where the car is taxed and insured, the parking bay is not designated to resident and the car is parked in accordance with the law
- Complaints where allegation of a crime is being made. EHA will not lead an investigation about an alleged crime; that is the role of the Police. EHA will assist the Police in an investigation of a crime when appropriate.

### **Our Approach to Tackling ASB**

EHA is committed to preventing incidents of ASB occurring in the first instance, as set out in our Tenancy and Licence Agreements, and will use a range of preventative actions to achieve this.

Where incidents have occurred, we recognise that early intervention is the key to avoid escalation. If necessary and appropriate, we will take legal action to resolve the situation.

### Prevention and Early Intervention

- Our Tenancy and Licence Agreements contain clauses which allows us to deal with unacceptable behaviour
- We will use a range of tools including having discussions with the tenant/their support team/family and issuing formal warnings
- We will adopt a multi-agency approach when dealing with cases and will work with partner agencies such as the Police, Social Services and Support Providers
- We will work with partner agencies to ensure appropriate packages of support area available to help tenants address their behaviour, and to support those affected by unacceptable behaviour
- Where specific vulnerabilities are identified in a case, we will endeavour to provide a tailored approach to those suffering and those perpetrating.
- Where our tenants make a complaint against a neighbour who is not a tenant of EHA, we will support our tenant in resolving their complaint. This may include liaison with the subject's landlord, speaking to the Police, or signposting to other support services.

### **Enforcement & Legal Action**

EHA recognises that there will inevitably be cases where warnings, mediation and working with other agencies may not be successful, and that in such circumstances where sufficient evidence is available enforcement action will be pursued.

A range of tools are available to EHA to take action against tenants, these include:

- Undertakings
- Injunctions
- Possession proceedings as a last resort

We will work with partner agencies to consider other potential solutions:

- Noise Abatement
- Criminal Behaviour Orders (CBOs)

### **Reporting Anti-Social Behaviour**

EHA is eager to offer support and reassurance to all reports and witnesses of ASB. We will agree clear actions with them on how we are going to tackle the case.

We encourage our tenants, people visiting and working within our neighbourhoods to report ASB to EHA. We provide a variety of methods in order to report incidents of ASB including:

- In person – at our head office
- Telephone – 24/7
- Email
- Website – via the online contact form
- Letter
- Through another agency

We will complete a risk assessment of reporters where appropriate during the initial investigation, assessing any vulnerabilities and safeguarding issues. Safeguarding issues identified will be dealt with as per the Safe Guarding Policy.

Each report of ASB will be investigated. A plan of action will be agreed with every reporter and any witnesses, however there may be cases where it is not appropriate for us to take action (e.g anonymous reports, or where the reporter does not want to be engaged with the process).

EHA will keep reporters and witnesses informed at all stages of the investigation and ensure that we work with other relevant agencies i.e Victim Support and Advocacy Services for support before and after any court case appearances.

### **Dealing with Vulnerable Subjects and Reporters**

EHA recognises our tenants, whether they are the reporter or subject, have complex needs and will require additional support. EHA will therefore try and ensure the subject has access to support to help address any unacceptable behaviour and sustain their tenancy. This may include liaising with relevant professional organisations or support

being provided in-house. We will work closely with partner agencies to ensure that support is available.

On occasion, and where appropriate, we may seek advice from independent professionals including medical, mental health, fire safety and legal practitioners.

### **Partnership Working**

EHA recognises that dealing with ASB is not the sole responsibility of any single agency. We will work closely across Local Authorities with all relevant agencies and will share information with appropriate partners.

As a registered provider we have a duty to share information with relevant agencies as set out by the Crime and Disorder Act 1998. This will be done in accordance with the General Data Protection Regulations 2018.

### **Responsibility**

The designated office responsible for implementation and monitoring of this policy will be the Chief Executive.

### **Equality and Diversity**

We are committed to respecting diversity in all aspects of our work, and we will not tolerate any form of discrimination.