

## Anti Social Behaviour Policy

<b>Purpose</b>	Eastlight recognises the impact that anti-social behaviour (ASB) can have on the lives of customers and the importance of tackling it effectively. We are focused on providing an excellent level of housing management that allows customers to enjoy their homes without negatively affecting others, or being negatively affected by their neighbours. This policy sets out Eastlights' approach to ASB.
<b>Owner</b>	Neighbourhood Manager
<b>Related documents</b>	ASB Procedure Taking legal action procedure Domestic Abuse Policy Safeguarding Policy
<b>Approved by</b>	Executive Director of Operations Director of Housing
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## **1. POLICY STATEMENT**

- 1.0 Eastlight recognises the impact that anti-social behaviour (ASB) can have on the lives of residents and the importance of tackling it effectively through a co-ordinated community response. We are focused on providing an excellent level of housing management that allows residents to enjoy their homes without negatively affecting others, or being negatively affected by their neighbours.

## **2. SCOPE**

- 2.0 This policy applies to all Eastlight customers. It will exist to work in partnership with the key stakeholders we work with including Police, Community Safety Partnerships and Local Authority bodies.

## **3. PRINCIPLES**

- 3.0 This policy will acknowledge Anti Social Behaviour as conduct capable of causing housing-related nuisance or annoyance to any person. We will acknowledge the term “housing related” as behaviour that directly or indirectly affects our housing management function meaning that we will also take action against non-identifiable Eastlight tenants where possible to do so.

This policy will not acknowledge Domestic Abuse as Anti Social Behaviour, but rather a stand alone issue where we will have a dedicated policy.

## **4. AIMS AND OUTCOMES**

- 4.0 All customers are responsible for keeping to the terms of their tenancy agreement or lease. They are also responsible for the conduct and behaviour of the members of their household and visitors to their home, including pets and young children. Our customers must not ignore, or fail to prevent, any member of their household or their visitors doing something that is in breach of their agreement or lease.
- 4.1 Customer responsibilities for their own behaviour, members of their household, pets and visitors are not limited to their home, but also apply to Eastlights’ office and the community in which they live and where our staff operate.
- 4.2 Eastlight will take a victim-centred approach, taking reasonable and proportionate action quickly and decisively while working in close partnership with our key stakeholders.
- 4.3 We will profile ASB into 3 categories of seriousness that run from A through to C. **Appendix 1** shows these categories.

- 4.4 For all high risk cases, additional measures will be considered; these could include providing additional security to the property, referrals to specialist support agencies, case conferences with appropriate agencies such as Police, Local Authority or Social Care, or increased contact by the ASB Co-ordinator.
- 4.5 Victims of ASB, or witnesses who provide evidence for court purposes against alleged perpetrators, will be supported by Eastlight. This support will be based on the needs of each person in turn. However, the relevant ASB specialist will maintain regular contact with all victims while a case remains open.
- 4.6 Perpetrators who have or exhibit support needs will also be supported by Eastlight if appropriate and practicable to do so. We will do this by ensuring cross agency work is adopted at all times.
- 4.7 This policy acknowledges that there will be some cases where action is taken by Eastlight before any offer of support is made. For criminal or serious ASB this may be entirely appropriate to protect other residents, members of the community and staff.
- 4.8 Eastlight will promote the view that everyone has the right to their own chosen lifestyle providing this does not impact adversely on the quality of life of others. We will not take action where a complaint concerns behaviour that results from different lifestyles, or which would not generally be considered to be unreasonable or constitute anti social behaviour. See **Appendix B**.
- 4.9 We will offer alternative solutions when we explain that an issue is not classed as anti social behaviour. This will include but is not limited to mediation services.
- 4.10 We expect any allegations to be made at the time of the incident occurring and we may refuse to accept an allegation if it has not been reported to us within 72 hours of the date of the incident (subject to exceptional reasons). We expect allegations to be factual and detailed enough for us to take action if necessary and we may refuse to accept an allegation if we are not given sufficient information / evidence.
- 4.11 Eastlight will be committed to tackling ASB before it becomes an issue. We will do this by utilising behavioural trends and hotspot areas, whilst ensuring that our actions are in line with the district community safety partnership priorities

- 4.12 We will place emphasis on the prevention, intervention and diversion of serious ASB by incorporating a number of ways to positively engage with our communities. This will be in line with community safety partnership priorities.
- 4.13 Eastlight will commit to working with the Local Authority and other partners when victims exercise their right to a formal case review (Community Trigger) if they feel the case has not been managed in line with policy.
- 4.14 We will always ensure that action taken against perpetrators will be reasonable and proportionate. We will utilise both informal and formal methods to ensure that action taken is prompt, whilst ensuring the victims needs are being met at all times.
- 4.15 Eastlight will make use of legal interventions to resolve ASB issues should the situation warrant this response.

## **5. DEFINITIONS**

### **Victim Centred**

- 5.1 A victim centred approach means placing the needs and priorities of victims of ASB at the forefront of any response. It means being treated with dignity and respect, whilst ensuring they have a safe, supportive, non-judgmental environment to be able to make informed choices about their case.

### **Risk Assessment**

- 5.2 The process where Eastlight will identify hazards and risk factors that have the potential to cause harm to a victim.

### **Co-ordinated Community Response**

- 5.3 Ensuring that a multi-agency approach is always adopted at the local level with a view to resolve and prevent ASB from happening.

### **Mediation Service**

- 5.4 A service to help those in dispute communicate about the issues of concern to them, and help participants find solutions that are acceptable to everybody involved.

### **Community Safety Partnership**

- 5.5 Set up under Sections 5-7 of the Crime and Disorder Act 1998, these are groups made up of responsible authorities who work together to protect their local communities from crime and to help people feel safer. They work out how to deal with local issues including anti social behaviour, drug or alcohol

misuse and re-offending. They annually assess local crime priorities and consult partners and the local community about how to deal with them.

### **Community Trigger**

- 5.6 The name generally applied to the response to complaints section of the 2014 ASB Crime and Policing Act and enables victims to require agencies to carry out a review of their response to the anti-social behaviour they reported where they feel they did not get a satisfactory response. It is also known as the ASB Case Review.

### **Legal Intervention**

- 5.7 A means to eradicate or stop ASB by utilising legal remedies offered through the relevant government legislation. This can include but is not limited to, Civil Injunctions and mandatory grounds for possession.

## **6 STATUTORY AND REGULATORY REQUIREMENTS**

- 6.1 The Housing Act 1996, the Anti-social Behaviour Act 2003, the Housing Act 2004 and the Anti-social Behaviour, Crime and Policing Act 2014 all govern how anti social behaviour should be managed and co-ordinated. This is in addition to the Equality Act 2010 including age discrimination and public sector equality duty.
- 6.2 Data Protection Act 2018 governs the protection of personal data. It is not a barrier to sharing information but provides a framework to ensure that personal information about a person is shared appropriately. The policy will also comply with all elements within the general data protection regulations 2018 (GDPR).

## **7. EQUALITY AND DIVERSITY**

- 7.1 An equality analysis has been completed for this policy. No positive or negative impacts have been identified.
- 7.2 The hate crime definition includes all protected characteristics to ensure it is correctly identified, dealt with and reported. Support will be provided based on the needs of each person, and regular contact will be maintained.

## **8. REVIEW**

- 8.1 This policy will be reviewed in 3 years or if legislation changes.

## **9. DATE OF POLICY**

26th October 2020

**Category A – serious criminal behaviour**

- Drugs or substance misuse and/or drug dealing
- Violence or threats to kill
- Hate-related incidents
- Arson

High Risk

**Action:** Acknowledge report within one day of the report being received.

**Category B – serious anti-social behaviour**

- Verbal abuse, harassment, intimidation or threatening behaviour.
- Frequent serious disturbances
- Vandalism and damage to property
- Alcohol-related anti social behaviour
- Prostitution, related sexual acts or kerb crawling

High Risk

**Action:** Acknowledge report within one day of the report being received.

**Category C – nuisance disputes and behaviour**

- Noise nuisance
- Nuisance from vehicles
- Misuse of communal areas/public space or loitering
- Youth nuisance
- Pets and animal nuisance
- Cannabis smells
- Infrequent disturbance

Low Risk

**Action:** Acknowledge report within one day of the report being received

## Appendix B

The table below outlines what we do and do not consider to be ASB and within scope of this policy. In very exceptional circumstances, an out of scope matter may be treated as ASB, but to do so, would need to be authorised by the relevant Neighbourhood Manager.

ASB (In Scope)	Not ASB (out of scope)
Arson	Babies Crying
Assault & Threats of Violence (including cuckooing)	Children Playing
Brothels in homes or communities	Cooking Smells
Criminal Damage (inc offensive graffiti)	DIY Noise
Drug Dealing and Use, (including involvement in county line related crime)	Dog and Cat Fouling
Noise (proven to be excessive)	Disputes (friends and family)
Using property for immoral or illegal purposes	General Living Noise
Sexual Offences	Lifestyle clashes
Verbal Abuse / Harassment / Intimidation	Parking Issues (non designated areas)
Unlawful use of weapons	Parties (one off)
Hate Crime	Household smells (including tobacco)