

## 1 Scope

- 1.1 This policy outlines to our customers and colleagues the key principles Aster will apply in dealing with Anti-Social Behaviour (ASB) in our communities.
- 1.2 We want our communities to be places where people would like to live. We recognise that people feeling safe in their home and their community is important to how they feel about where they live.
- 1.3 We accept that everyone has a right to their chosen, lawful, lifestyle providing this does not spoil the quality of life for others. We have an important role in making sure that such rights and obligations are managed effectively. Tackling ASB and nuisance is essential in achieving this result. This policy aims to prevent and reduce harm caused by ASB to people and communities.
- 1.4 We are committed to tackling anti-social behaviour and to ensuring there is awareness and accessibility to support services that meet the needs and requirements of our customers. We recognise the importance of partnership working and will work with statutory and non-statutory agencies where we required.
- 1.5 This policy covers all customers, colleagues, stakeholders, and our neighbourhoods affected by ASB which fall within our area of responsibility; this includes properties owned and/or managed by East Boro Housing Trust (EBHT).
- 1.6 Although Domestic abuse is linked to ASB, we have a separate Domestic Abuse Policy that sets out our commitments to addressing Domestic Abuse for customers, and a Domestic Abuse Guidance document for colleagues.
- 1.7 The ASB team can be contacted during normal office hours on the designated telephone line 01202308744. There is a voicemail facility for evenings and weekends.

## 2 Policy Statement

- 2.1 We have adopted the Housing Act 1996 definition of ASB: “Engaging in, or threatening to engage in, conduct causing, or likely to cause, a nuisance or annoyance to persons engaged in lawful activities”.
- 2.2 Examples of ASB could include noisy parties, loud arguments, or intimidating behaviour; and also could include criminal activity such as hate crime, drug dealing, or threats of violence. Issues like pet nuisance, fly-tipping, or an untidy garden, which are what we would define environmental ASB, would be dealt with by the Neighbourhoods team rather than the ASB team. EBHT Tenancy & Estate managers will deal with all reports for EBHT properties.
- 2.3 We will only become involved in matters where we are satisfied our intervention is appropriate and will resolve the issue(s). We will not deal with matters which after investigation we consider to be:
  - A difference in lifestyle, by which no actionable ASB is present
  - Entrenched personal disputes
  - Unintentional/accidental behaviour of children
  - One off, low risk events
  - Reports that are not supported by evidence

If complaints are concerning cannabis use, we will refer to our Cannabis Case Guidelines within our ASB procedure.

- 2.4 We have adopted the Chartered Institute of Housing's ASB Case Management Principles - <https://cih.org/publications/how-to-manage-asb-cases-effectively>
- 2.5 We will make it completely clear to our existing and prospective customers that ASB is unacceptable and if it arises it may lead to action being taken against them. We will do this by going through the responsibilities of the tenancy agreement and providing advice on request.
- 2.6 We will respond to reports from anyone affected by ASB (customers, non-customers, or colleagues). If either the alleged perpetrator or victim is not a customer, we will work with other agencies and offer support or signposting as required. If the alleged perpetrator is a customer, we would consider all actions available to us.
- 2.7 We also recognise there are times where there could be multiple victims and/or perpetrators and will act accordingly. This could include where a whole neighbourhood or community is being affected.
- 2.8 We will work to reduce and minimise ASB through preventative action and will develop and maintain effective partnerships with local and national agencies with whom we can collaborate in tackling ASB. We will apply this policy in line with our ASB procedure.
- 2.9 We will be clear that whilst we work in partnership, our role is that of the landlord. The police, local authorities and other statutory agencies may be best placed to lead on an investigation, for example if the reported behaviour is criminal as well as anti-social; or a statutory nuisance (as defined by the environmental protection act 1990), e.g. noise nuisance, would be the local authority's responsibility to investigate.
- 2.10 Customers who are not satisfied with our service can refer to our Complaints Policy. If a customer is unsatisfied with our response – they are entitled to activate an independent ASB case review, also known as the community trigger. For more information on this please see the GOV.UK website - <https://www.gov.uk/guidance/anti-social-behaviour-asb-case-review-also-known-as-the-community-trigger>
- 2.11 We support a wide range of available methods for reporting ASB from individuals, which include written letters, telephone, e-mail, in person, and on-line reporting; these include through the MyAster portal, Aster/EBHT website and receiving reports via social media. We will also receive reports from other agencies such as the police or Local Authority.
- 2.12 We will log any complaints or reports received on our contact management system, regardless of if any further action is taken. This will be stored in line with our Data Protection, Privacy, and Confidentiality Policy.
- 2.13 We adopt a harm-centred approach to managing ASB. 'Harm-centred' means looking at and prioritising where harm is most likely to occur so it can be managed and minimised. We will use the following principles and are supported by the ASB procedure:
  - Assessing impact on all new reports of ASB.
  - Action planning with the complainant to try to resolve the problem and agreeing a communication strategy with the complainant.
  - Triaging low-impact cases allowing priority focus on high-impact victims.

- Encouraging complainants in low impact cases to speak with their neighbours, where appropriate and safe to do so, which can resolve matters more effectively. We understand that this may not be appropriate in some situations.

Sometimes other agencies such as the police will be better placed to lead on a resolution, for example restorative justice.

- 2.14 We will consider a range of options for tackling ASB, as every case will be different. These include:
- Use of mediation
  - Noise App for evidence gathering
  - ASB surveys within the community
  - Professional witnesses or police evidence
  - Referral to Local Authority for action/support (inc. noise monitoring equipment)
  - Voluntary contracts, e.g. Acceptable Behaviour Contracts
  - Action plans, diversionary activities, and community development involvement
  - Use of the Community Trigger
  - Multi-agency meetings, case conferences, other problem-solving groups
  - Tenancy support
  - Target hardening in specific circumstances – e.g. providing window alarms, bolts on doors, security lights, or personal attack alarms
  - Legal remedies under the Housing Acts (court action, Notice of Seeking Possession) or the Anti-Social Behaviour / ASB Crime and Policing Acts (Injunction). These will be considered as a last resort after all other appropriate options have been exhausted.
- 2.15 We will be clear with complainants that our response will be limited if they do not engage meaningfully with the reporting process.
- 2.16 We will balance our right to intervene in the lives of our customers with their right not to be subject to unnecessary intrusion from their landlord.
- 2.17 We will follow the ASB procedure when managing ASB cases and will treat each case individually. This means that not all cases will involve the same actions, but each action will follow a proportionate and reasonable response to the problems identified within the case.
- 2.18 Colleagues dealing with cases of ASB have, and will continue to receive, regular specialist training which gives them the skills and knowledge to tackle ASB effectively.
- 2.19 We will ensure that reasonable and appropriate support is offered to victims and witnesses. This may mean referring or signposting to other agencies who may be better placed to provide this.
- 2.20 We will ensure that preventative measures and early interventions are considered at all case stages.
- 2.21 We have a responsibility to make referrals to specific agencies if a safeguarding concern is raised. The Safeguarding Policy, which gives information on safeguarding concerns, should be referred to if any colleague has concerns about a vulnerable adult or a child regardless of whether or not they are a customer.
- 2.22 We will use the S.A.F.E. (Safety Advice For Employees) guidance and process if there are any concerns for colleagues safety and/or welfare. We will take a zero tolerance approach to abuse against colleagues and will take legal action where appropriate.

- 2.23 We aim to resolve all cases of ASB and will close a case when action has been taken which has resolved the ASB. However, we may have no option but to close cases in the following circumstances:
- When we have investigated the ASB case and have not been able to resolve the issue, but there are no more options available to Aster.
  - When we believe there is no ASB happening, and the case needs to be closed.
  - When another agency is dealing with the case and no longer needs involvement by the ASB team.
  - When the complainant fails to help in providing evidence to Aster, and we cannot take further action.
  - If we believe the ASB complaint to be vexatious. This is where a person is acting in a frustrating and irritating manner, with malicious intent and/or unreasonable expectations. We will consider any additional action in line with the Unreasonable Complainer's Guidance within the Complaints Procedure.
- 2.24 We will explain to complainants the importance of the processes in dealing with ASB and that the ability to take legal action may be adversely affected if unable to disclose information; and it may be necessary to disclose information to other relevant agencies. We have signed up to various information sharing protocols with partner agencies.
- 2.25 Section 115 of the Crime and Disorder Act 1998 allows Aster and partner agencies to share information for the purpose of preventing and detecting crime and disorder. Information will be shared with other agencies, where there is a duty to do so, and/or where information-sharing protocols are in place.
- 2.26 We recognise that confidentiality is important to develop a relationship of trust with complainants and we ensure that any information given will be kept in the strictest confidence. However, safeguarding concerns may overrule any confidentiality protocols.
- 2.27 We will not reveal the identity of any person unless permission is received to do so, however due to the nature of some complaints we cannot guarantee anonymity for complainants.
- 2.28 ASB Officers, Home Ownership Managers, ASB Service Managers/EBHT Tenancy & Estate Managers, and Heads of Housing/Director of Housing Services have delegated responsibility to complete and sign all court paperwork when applying for injunctions or possession, and to advocate in person on behalf of Aster at court.

### **3 Monitoring and Review**

- 3.1 We are committed to monitoring and improving our performance in managing and resolving ASB. Monitoring will include:
- ASB cases successfully resolved
  - Priority 1 cases responded to by ASB/GHO officer within 48 hrs (monthly)
  - Priority 2 cases responded to by ASB/GHO officer within 5 days (monthly)
  - Customer monitoring calls within agreed timescales
  - Following any recommendations from the Regulator of Social Housing, we will aspire to benchmark our service against other Registered Providers.
  - Reviewing the complainant experience from surveys with those who have accessed the ASB service.

- Reviewing performance indicators including – case reviews, case audits, caseloads at ASB service manager level and discussed during 1 to 1s.
- 3.2 Service standards specific to ASB will be reviewed and published, which will confirm the length of time complainants should expect a response to their initial report, the frequency of contact, what response to expect when reporting and how to access the service. These are referenced in our Customer Service Promise/Customer Service Standard - <https://www.aster.co.uk/existing-customers/our-service-promise/anti-social-behaviour>
- 3.3 We will ensure effective implementation of this policy by publishing on the Aster website and on our intranet Asternet. We will ensure policy overview sessions are held for teams that will be responsible for implementing the policy, and make these sessions available for any new colleagues or refreshers.
- 3.4 We will monitor attendance of these sessions, and of colleagues who have confirmed having read the document through Asternet, 6 months post-implementation.
- 3.5 The effectiveness of this policy will be continuously monitored and the embedding of the policy scrutinised after 12 months by the *Customer Experience Panel*
- 3.6 This policy will be reviewed every 3 years unless business need, regulation or legislation prompts an early review

## 4 Related Policies and Procedures

- 4.1 ASB Procedure
- 4.2 Domestic Abuse guidance
- 4.3 Safeguarding Policy
- 4.4 Safeguarding Procedure
- 4.5 Complaints Policy
- 4.6 Complaints Procedure
- 4.7 Health and Safety Policy
- 4.8 Lone Working Policy
- 4.9 Tenancy Policy
- 4.10 Section 21 Notice Procedure
- 4.11 S.A.F.E. Procedure
- 4.12 Eviction Procedure
- 4.13 Diversity & Inclusion Policy
- 4.14 Honesty Policy
- 4.15 Data Protection, Privacy, and Confidentiality Policy
- 4.16 Domestic Abuse Policy
- 4.17 Pets Policy
- 4.18 Estate Management Policy
- 4.19 Abandoned Vehicle Procedure
- 4.20 Neighbourhood Inspections Procedure
- 4.21 Recharges Policy
- 4.22 Home Improvements and Alterations Procedure
- 4.23 MAPPA & High Risk Assessment Guidance

## 5 Governance

**Effective From:**

15/04/2021

**Expires:**

14/04/2024

<b>Policy Owner:</b>	Regional Director – Somerset, Dorset, Devon & Cornwall		
<b>Policy Author:</b>	Policy & Assurance Officer		
<b>Approved by:</b>	<i>Customer Experience Panel</i>		
<b>Delegation Matrix Reference:</b>	R064	<b>Version Number:</b>	V3.0