

Anti-Social Behaviour Policy

Operating Company(ies):	Aster Group		
Approved by:	Customer & Community Network		
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1 Introduction

1.1 Aim

- 1.1.1 This policy outlines the key principles our customers and employees can expect Aster to apply in dealing with anti-social behaviour (ASB) in our communities.
- 1.1.2 Dealing effectively with ASB forms a key requirement of our approach to tenancy management as set out in our tenancy agreements, as well as legal and regulatory requirements.
- 1.1.3 Aster accepts that everyone has the right to their chosen lifestyle providing this does not spoil the quality of life of others. This implies tolerance, consideration and respect for the requirements of others. However, as a landlord, Aster has an important role in ensuring that such rights and obligations are managed effectively. Aster also recognises that local authorities and the police have a larger role to promote and protect the interests of those living within their boundaries.

1.2 Scope

- 1.2.1 This policy covers all customers, employees, stakeholders and our communities affected by ASB, which falls within our area of responsibility.

1.3 Outcomes/benefits

- 1.3.1 This policy aims to:
 - Ensure the effective case management of ASB within agreed budget limits for the benefit of our customers and communities.
 - Reduce the risks of reputational damage and serious detriment findings as a result of non-compliance with regulatory standards.

1.4 Regulative and legislative frameworks - ASB definition

- 1.4.1 The Housing Act 1996 provides the most appropriate definition of ASB for registered providers. This is '*engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to persons engaged in lawful activities*'.
- 1.4.2 The relevant sections of the 1996 Housing Act provide the scope for Aster to enforce tenancy breaches through possession proceedings. There is an expectation this should be used as part of Aster's response to tackling ASB.
- 1.4.3 The Anti-Social Behaviour, Crime and Policing Act 2014 is a further piece of legislation and Aster is considered a relevant body with regard to the partnership response to tackling ASB.
- 1.4.4 The Housing Act 1985 and section 11 of the Housing and Regeneration Act 2008 define Aster as a landlord. This places a requirement on Aster to facilitate customers to meet the contractual responsibilities of their tenancy agreements, which include conditions around ASB and allowing others to have reasonable enjoyment of their home.
- 1.4.5 The HCA Neighbourhood and Community Standard 2012 outlines the regulatory framework Aster must comply with when delivering an ASB service.

The following sections relate specifically to ASB:

- Working in partnership with other agencies in tackling ASB.
- Ensuring tenants are made aware of their responsibilities and rights in relation to ASB.
- Ensuring strong leadership commitment and accountability in preventing and tackling ASB, that reflects a shared understanding of responsibilities with other local agencies.
- Ensuring a strong focus exists on preventative measures tailored towards the needs of tenants and their families.
- Ensuring prompt, appropriate and decisive action is taken 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.
- 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.
- Reasonable and appropriate support is provided to victims and witnesses.

2 Policy statement

- 2.1 We have adopted the Chartered Institute of Housing's ASB Case Management Principles which focus on:
- Opening a case swiftly and effectively
 - Intervening early – use of appropriate tools
 - Harm centred – reducing risks/protection
 - Legal considerations
 - Closing a case
- 2.2 Aster will make it absolutely clear to our existing and prospective customers that ASB is unacceptable and if it arises it may lead to action being taken against them.
- 2.3 Aster will ensure relevant colleagues are trained and equipped to respond swiftly and effectively to reports of ASB and prevent reports escalating into more serious incidents.
- 2.4 Aster will raise awareness amongst residents, colleagues and other relevant stakeholders of the tools and powers available (as well as constraints), to tackle ASB.
- 2.5 Aster will work to 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.
- 2.6 Aster's approach to ASB will be targeted as follows:
- 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 we consider to be:
 - Entrenched personal disputes
 - Unintentional behaviour of children
 - One off, low risk incidents
 - Reports that are not supported by evidence.
 - We will be clear with customers that our response will be limited if they do not engage meaningfully with the reporting process.
 - When it is safe to do so, we expect customers to resolve matters themselves with their neighbours.
 - 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.
 - We will be clear that whilst we work in partnership, our role is that of a landlord. The police, local authorities and other statutory agencies

may be best placed to take the lead on an investigation. We will be clear where we believe that an investigation may benefit from another lead agency. Aster plays an active role in partnership working and will work with any internal or external partner agency who can contribute to solutions of ASB and who can deliver activities that will prevent ASB from occurring on our estates.

2.7 Confidentiality and data protection

- 2.7.1 We will explain to complainants the importance of the processes in dealing with ASB, and it may be necessary to disclose information to other relevant agencies. Aster has signed up to various information sharing protocols with partner agencies.
- 2.7.2 Information will be shared with other agencies, where there is a duty to do so, and/or where information-sharing protocols are in place.
- 2.7.3 Section 115 of the Crime and Disorder Act 1998 allows Aster and partners to share information for the purpose of preventing and detecting crime and disorder.
- 2.7.4 We recognise that confidentiality is important to develop a relationship of trust with complainants and we ensure that any information provided will be kept in the strictest confidence.
- 2.7.5 We will not reveal the identity of any person unless permission is obtained beforehand.

2.8 Roles and responsibilities

- 2.8.1 The Head of Housing (Dorset) is responsible for monitoring the ASB service and ensuring it complies with the requirements of this policy.
- 2.8.2 The Head of Housing (Dorset) is responsible for ensuring this policy is implemented.
- 2.8.3 All employees who are involved in responding to matters of ASB are responsible for ensuring they comply with the requirements of this policy.
- 2.8.4 ASB Officers, ASB Service Managers and Heads of Housing have delegated responsibility to complete and sign all court paperwork when applying for injunctions or possession, and to litigate in person on behalf of Aster at court.

3 Policy implications

3.1 Service/performance standards

- 3.1.1 The ASB service will be subject to an annual compliance check.
- 3.1.2 We will report on the number of cases successfully resolved.

- 3.1.3 We will report on the satisfaction with the handling of ASB cases and the performance of the officer involved.
- 3.1.4 Service standards specific to ASB will be reviewed and published, which will confirm the length of time complainants should expect a response to their report, the frequency of contact, what response to expect when reporting and how to access the service.
- 3.2 **Risk**
- 3.2.1 Failure to litigate or inadequate decision making, prior to litigating on high risk cases, would place the Aster at risk of financial penalty, reputational damage and finding of serious detriment.
- 3.2.2 Non-compliance with this policy place Aster at risk of regulatory intervention.
- 3.3 **Equality and diversity implications**
- 3.3.1 An Equality Impact Assessment has been completed, which outlines Aster's approach to Equality and Diversity when delivering the ASB Service.

4 Related policies and procedures

- 4.1 There are a number of related policies and procedures listed below, which is not an exhaustive list:
- ASB Strategy
 - ASB Procedure (including Domestic Abuse guidance)
 - Estate Management Policy
 - Safeguarding Policy
 - Complaints Policy

5 Appendix

- Equality Impact Assessment