

Anti-Social Behaviour Policy

The purpose of this policy is to set out Hastoe's approach to preventing and dealing with Anti-Social Behaviour (ASB) so that staff can work with residents and key agencies to tackle ASB in the communities in which we operate and so that our residents enjoy peace in their homes and neighbourhoods.

This policy applies to all residents or those who have been affected by a resident of Hastoe Housing Association. The policy is available in alternative formats and languages upon request, and reasonable adjustments in accordance with the Equality Act 2010 will be made to ensure accessibility for residents.

We aim to build strong partnerships with our partnering agencies to reduce ASB in our communities

For minor disputes with neighbours, we will encourage residents to resolve this prior to logging this with Hastoe as an ASB complaint

This policy has links to the following policies and procedures:-

- Safeguarding
- Domestic Abuse
- Complaints
- Equity, Diversity and Inclusion
- Data Protection
- Estate Management

Policy Statement

Anti-Social Behaviour (ASB) is defined under Section 2 of the ASB, Crime and Policing Act 2014 as being:-

Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person

Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or

Conduct capable of causing housing-related nuisance or annoyance to any person.

We expect our resident(s), their households and their visitors not to engage in anti-social behaviour towards any person.

- We take reports of ASB seriously, but there are some behaviours that may be considered unwelcome that we do not consider as ASB. These include (but may not be restricted to): Children playing in the street, park or garden.
- Inconsiderate or poorly parked vehicles
- General household noise at reasonable times (for example, using household appliances, talking, TV)
- DIY or home improvements during reasonable hours.
- Babies crying or other normal family sounds.

- Cooking smells or smoking
- One-off parties (unless they become persistent or extremely disruptive).
- Groups of people in public spaces (unless they are rowdy, abusive, causing damage or committing crimes).
- Religious or cultural practices.
- Lifestyle clashes (for example, different routines or habits).
- Disputes on social media that do not escalate into harassment or threats.
- Displaying a nations flag unless there is any other criminality attached to the display

Essentially, if the behaviour is occasional, reasonable and not intended to cause harm or distress it does not qualify as antisocial behaviour.

We will use the powers granted to Registered Providers through various legislation, namely the Housing Act 1988 and the Anti-social Behaviour, Crime and Policing Act 2014 appropriately and proportionately, ensuring that we properly manage the expectations of our customers and the wider community from the outset. These powers include dispute resolution, injunctions, starter and demoted tenancies. As a last resort, we will explore possession proceedings.

Our focus will be on the prevention and resolution of issues. This means we shall attempt to change behaviour through out-of-court disposals and informal measures, such as early warnings. Where the nature of the anti-social behaviour is so serious that the impact upon the victim cannot be undone, we may have no choice but to explore court proceedings immediately.

This policy shall be implemented in conjunction with the following key legal and regulatory references:-

- ASB, Crime and Policing Act 2014
- Crime and Disorder Act 1988
- Equality Act 2010
- Housing Act 1996
- Housing Act 1988
- Human Rights Act 1988
- Data Protection Act 2018

Case Management

We operate a case management system and will always open and investigate cases for the following circumstances:-

- hate crime
- domestic abuse (please note that we have separate policies and procedures in relation to reports of domestic abuse)
- drug activity
- criminal behaviour, including violence and the threatened use of violence
- dangerous dogs
- noise nuisance, except for living noise

We appreciate that not all cases of ASB will fall into these categories, therefore, all reported cases of ASB will be rated as High, Medium and Low. After completing a risk assessment the grade of case will be communicated to residents. Our initial response following a report will be as follows:-

High level ASB case – 1 working day

Medium level ASB case – 2 working days

Low level ASB case – 5 working days.

We operate a victim centred approach to managing anti-social behaviour and we will work with those affected, often in a multi-agency response to implement long term sustainable outcomes which deal with individual incidents and community wide issues to prevent anti-social behaviour from reoccurring. We will be clear with our residents what constitutes as ASB and what is more commonly known as unwanted / unwelcome behaviour

All cases are reviewed monthly by a line manager not involved with the management of the case to ensure they comply with our ASB policy and procedure. These reviews are documented and residents will receive a monthly update on the progress of their case. If there is insufficient evidence to proceed with a case the resident will be informed and signposted accordingly with the appropriate advice.

Responsibilities

All members of staff are responsible for dealing with or reporting incidents of ASB to the relevant Housing Officer who will usually take the lead on case management. This is overseen by the Housing Team Leader (East) or Regional Housing Manager (West).

Relevant staff members are aware of their responsibilities and roles in respect of tackling ASB, this includes:-

- Early intervention and prevention measures
- Safeguarding of vulnerable victims
- Commitment to multi-agency working, attending relevant meetings and progressing agreed actions
- Reviewing performance, planning for improvement, developing new approaches and adopting best practice

Multi-agency partnership working

Hastoe recognises the roles of other agencies and is committed to working in partnership with them at strategic and operational levels aiming to tackle anti-social behaviour and support complainants and witnesses. Where it is deemed appropriate, complainants or reports may be referred to partner agencies, such as the Local Authority and the Police to deal with. In these cases, we will support and work with other agencies and our own actions and records will be guided by their findings

Unacceptable behaviour towards staff members and contractors

We expect our employees to treat people with courtesy, respect and fairness at all times, and for our employees to be treated in the same way.

Sometimes it is difficult to deliver services effectively where there is unacceptable behaviour towards our employees, or unreasonable demands on our service or levels of contact. We have to take action to protect the health and wellbeing of our employees who have a right to do their jobs without fear of being abused or harassed. We also consider the impact of the behaviour on our ability to do our work and provide a service to others. Behaviour from residents defined as the following will be deemed as unacceptable and will be managed in accordance with this policy and procedure. These are as follows:-

Aggressive and abusive behaviour

Sometimes people may be upset, angry, or anxious about the issues they have raised in their complaint. We will always try to help but we will not accept aggressive, abusive or harassing behaviour towards our employees.

Examples of this type of behaviour can include:

- behaviour or language (verbal or written) that may cause employees to feel offended, afraid, threatened, or abused
- derogatory or discriminatory remarks; including racist, sexist, disablist, homophobic, or transphobic comments
- using insulting or degrading language
- making serious allegations against us or others without any evidence
- publishing information about employees online including social media
- recording and publishing telephone discussions with employees that are taken without their consent
- contacting employees using their personal details or social media presence such as Facebook, Instagram, X or LinkedIn

Unreasonable demands

Demands on our service can be unreasonable if they impact our ability to provide a consistent service, or if involves an excessive amount of employee time.

Examples of these type of demands can include:

- repeatedly demanding a response within a timescale outside of normal timescale agreements
- insisting on, or refusing to speak to employees when that is not possible
- repeatedly changing the substance of a complaint or raising unrelated concerns
- refusing to accept a decision where explanations for the decision have been given
- refusing to co-operate by not providing information we request to allow us to help resolve the issue

Unreasonable persistence

Levels of contact become unreasonable when the amount of time spent managing it impacts our ability to process the complaint or limits the service we can give to other people.

Examples of this type of contact can include:

- repeated contact whilst a complaint is being progressed or after it is closed
- lengthy telephone calls repeating the same points for discussion
- high volumes of information provided by email, webform, or post where the information repeats what has already been given
- copying our employees into emails with other parties where this is not necessary

This is not an exhaustive list and there may be other behaviours exhibited from a resident towards staff and contractors which is deemed as unacceptable

How we will manage unacceptable or unreasonable behaviour

Where our employees experience unacceptable behaviour on a telephone call they may take immediate action to terminate the call where it is appropriate in the circumstances. Where possible, the employee member will inform the customer why their behaviour is unacceptable before deciding to terminate the call.

The following list sets out the contact restrictions we can impose to manage unacceptable or unreasonable behaviour:

- requesting communication only in writing or through a representative
- deciding not to investigate a complaint on the basis that it has been pursued in an unacceptable or unreasonable way
- stopping all communication with someone
- restricting or limiting contact with us

The following list sets out additional actions we can take to manage unacceptable behaviour which threatens the immediate safety of our employees or other persons:

- notifying the emergency services
- reporting information shared on social media to platform moderators

If we consider someone's behaviour is unreasonable (due to the demands made or levels of contact) or unacceptable, we will first try to fix the issue. We will explain why the behaviour is unreasonable or unacceptable and will give the person an opportunity to stop the behaviour so we can continue to progress the case.

If we are unable to resolve the issue and decide there is a need to manage behaviour in line with our policy, this decision will be made by a senior colleague, of manager level or above. The contact restriction conditions and reasons for the contact restriction will be communicated to the customer in writing.

A managed behaviour restriction will usually be in place for 12 months.

If behaviour threatens the immediate safety of our employees, other individuals, or an organisation, we will report the matter to the police.

We aim to let the customer know that we have reported their behaviour to police, there are some circumstances where this is not possible, such as a call being terminated before we have the opportunity to inform the person, or where informing the person could impact a criminal investigation.

A record of any managed behaviour restriction imposed will be kept on our case management system and will be in place for a minimum of 12 months. The restricted contact will be reviewed after 12 months or earlier if there has been a sustained period of acceptable contact. If the behaviour persists we may take legal action.

When informing a customer of restricted contact arrangements it should also be stated that there is a right to appeal the decision and that any appeal must be made within 28 days

of the notification. The decision will then be reviewed by a senior manager not involved with the original decision to restrict contact

Equity & Diversity

We recognise that certain forms of mental illness or disability may make it difficult for people to express themselves or communicate clearly. We will comply with equalities legislation and consider requests for reasonable adjustments. We will always consider how any restrictions may impact a reasonable adjustment that has been put in place for a particular customer.

Sometimes we may put a contact restriction in place which impacts a reasonable adjustment. This is because the behaviour we are experiencing means the adjustment is no longer reasonable where the person has shown unacceptable or unreasonable behaviour towards our employees. This could be because that adjustment is no longer effective or practical. Where possible, we will prioritise selecting contact restriction(s) that provide an alternative way to access to our service.

We will consider contact restrictions on a case-by-case basis and will always let the customer know of a decision to impose a contact restriction in writing. If we do not feel that the request is reasonable or we are unable to accommodate the request we will communicate this to the resident

Data Protection and Information Sharing

Any sharing of personal data with external agencies (such as the police or local authority) will be lawful, proportionate, and compliant with the Data Protection Act 2018 and UK GDPR. Residents will be informed when their information is shared, and consent will be sought where required, unless there is a legal obligation or overriding public interest.

Appeals and Complaints

Residents who are dissatisfied with the handling of their ASB case, may request a case review by a Regional Manager or they can raise a formal complaint which is detailed in our Complaints Policy. As part of the review we may also obtain independent legal advice, but this will be at our discretion.

Resident Involvement and Policy Review

This policy will be reviewed at least every three years, or sooner if required by changes in legislation or best practice. Residents will be consulted on any major changes to the policy

Performance, Learning, and Reporting

Learning from ASB cases and complaints will be used to improve services. All staff will receive regular training on ASB, complaint handling, and equality duties.