



# Anti-Social Behaviour Policy

<b>Approved by SMT</b>	25 <sup>th</sup> July 2024
<b>Approved by Committee/Board</b>	N/A
<b>Effective date</b>	1 <sup>st</sup> August 2024
<b>Review date</b>	31 <sup>st</sup> August 2027
<b>Policy developed by</b>	Senior Housing Manager
<b>Consultations</b>	Customer Online Consultation portal June/July 2024, Face to face customer consultation June 2024
<b>Associated procedure</b>	ASB Procedure, Dealing with Noise Complaints Procedure

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# Version Control

Version	Author	Date Published	Next Review	Comments
1.0	[REDACTED]	01 Aug 24	31 Aug 27	Update of previous policy

## Introduction

### 1. Purpose

- 1.1 Connexus aims to promote a safe and secure environment for our customers by working in partnership with other statutory agencies to prevent and respond to anti-social behaviour (ASB).
- 1.2 Our relationship with our customers goes two ways with responsibilities on both sides. We ask customers to take responsibility with our support if needed, for looking after their home and respecting their community and our colleagues. Where we need to assist, we will work with our customers to work together providing the right level of support to empower customers to tackle issues themselves wherever possible.

### 2. Problem to Solve

- 2.1 We condemn all nuisance and ASB and will not tolerate any such behaviour, whether perpetrated by our tenants, occupants of leasehold properties (including shared owners), employees, or anyone contracted to work on our behalf.
- 2.2 Our Tenancy Agreements include specific clauses, which clearly state that the tenant, anyone living with, or visiting the tenant, must not cause, or enter into any activity likely to cause a nuisance, annoyance or disturbance to any person living in, or otherwise engaging, in lawful activity in the locality of the tenant's home. All leases issued by us also contain similar clauses.
- 2.3 We are committed to tackling and reducing ASB in the communities we operate and will take every opportunity to work in partnership with other agencies to achieve this
- 2.4 Our response to ASB is appropriate and proportionate. We use the legal and contractual powers available to us to take action where our tenants, or occupants of our leasehold properties, are either the victims or perpetrators of ASB. We use the best practice 'triple track' approach to case work, combining early intervention/prevention, support and tough enforcement action, where necessary.
- 2.5 This policy is supplemented by a range of procedures which are detailed in the reference documents at the end of this policy.

2.6 We have separate policies covering hate crime, domestic abuse and safeguarding. We recognise that, where appropriate, ASB and hate incidents directed at adults at risk or children should be addressed and investigated through safeguarding procedures

### **Definitions**

2.7 We define nuisance as any behaviour that unreasonably interferes with complainants' rights to use and enjoy their home and community

2.8 We have adopted the following definition as detailed in the Anti-social Behaviour, Crime and Policing Act 2014 defines the meaning of ASB as:

- 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.

2.9 We will also consider any definitions as stated in an individual's tenancy agreements or lease when taking actions to manage ASB. This behaviour may include, but is not limited to:

- Any drug related offences from a property or within the locality.
- Violence or threats of violence.
- Damage to property, including graffiti and vandalism.
- Harassment and Hate Incidents.
- Verbal abuse.
- Noise nuisance.
- Littering, fly-tipping, rubbish dumping and misuse of communal areas.
- Nuisance from vehicles.
- Nuisance from animals.

2.10 Individual perceptions of anti-social behaviour can include a wide variety of activities. The following are examples of the types of everyday living that would not, under normal circumstances, be considered to constitute ASB and will not, therefore, be investigated under the terms of this policy.

- Mowing of lawns
- Vacuuming or excessive noise from domestic appliances
- Odours
- Children playing
- Walking across a wooden floor
- Low level animal nuisance such as cats entering gardens
- Lifestyle clashes including cultural differences

2.11 Household noise will not always be classed as ASB. It could include movement, intermittent music or TV sound, or the washing machine running at night and is sound from general living rather than to purposely disturb. This type of noise will be dealt with under a Dealing with Noise Complaints procedure.

## 3. Method/s

- 3.1 In order to meet the aims and principles that the ASB Policy sets out we will:
- Support victims, witnesses and, where appropriate, at risk perpetrators.
  - Work in a multi-agency environment.
  - Undertake preventative activity and widely publicise information relating to our policy on ASB
  - Take appropriate and proportionate enforcement action against perpetrators.
  - Ensure that all colleagues dealing with ASB are fully trained.
  - Set performance measures and undertake performance monitoring.

3.2 We will assist our tenants who are experiencing from ASB where the alleged perpetrator is another of our tenants, an occupant of one of our leasehold properties or any other person affecting our housing management function in the communities in which we work. Should an alleged perpetrator not be one of our tenants, we will work with the Local Authority to reach an appropriate outcome.

3.3 We can only assist an owner-occupier or a private tenant, where the alleged perpetrator is a tenant of one of the landlords or an occupant of one of our leasehold properties

### **Supporting Complainants and Witnesses**

3.4 We will deal with all reported incidents sensitively, fairly, impartially and in an agreed timescale with the complainant.

3.5 We will fully support complainants, their families and any witnesses by taking a complainant centric approach.

3.6 We will advise complainants of the support services that we and other agencies such as the Police, Victim and Witness Support and mediation services can provide, and make referrals as required.

3.7 We will ensure that we have access to interpreters and signers and use appropriate formats of communication for anyone who has difficulty reading or writing English.

3.8 We will discuss all appropriate action that can be taken with the complainant, including likely outcomes and potential timescales.

3.9 We will maintain appropriate confidentiality and will seek the complainants permission before contacting the alleged perpetrator, legal representatives or any other agencies.

3.10 We will provide regular updates on progress from the start of the case to case closure and beyond, if appropriate.

3.11 We will always try to minimise the burden on complainants in collecting evidence through:

- The short, time limited use of Incident Diary Sheets rather than their prolonged use with no clear outcomes.

- The use of hand-held voice recording, promotion of the Noise App and noise monitoring equipment and CCTV, where appropriate.
- 3.12 We will enable the provision of increased security, where this is considered necessary by applying, on the tenant's behalf, for a police Home Security Check or a Fire Safety check. We will take all reasonable steps to comply with any resulting recommendations. For occupants of our leasehold properties we will provide advice and support and, where agreed, will take reasonable steps to comply with any recommendations resulting from a Home Security Check
- 3.13 We will make all customers aware of the ASB case review (formerly known as the community trigger) process and their right to make a community trigger application. We will, where appropriate will act as an advocate in supporting customers to take an application forward to the relevant authority.
- 3.14 Where court action is taken:
- We will provide transport to court for witnesses, pay expenses for refreshments and child care and any other reasonable costs, where these are needed to facilitate the attendance at Court of the witness.
  - We will arrange for an accompanied visit to court, prior to attendance, to familiarise witnesses with the court environment and proceedings.
  - We will work with support agencies when a complaint of anti-social behaviour is made against an alleged perpetrator who is at risk, with the intention of encouraging a positive change in their behaviour. We will make it clear, however, that if they refuse to engage with this support, we may take legal action to enforce the conditions of tenancy.
- 3.15 We will aim to create a climate where people feel confident in coming forward with information, but should complainants wish to remain anonymous we will still investigate the complaint. However, we also have a responsibility to ensure that complainants are aware that, if they wish to remain anonymous, this may limit the types of action that we are able to take.
- 3.16 We will not move complainants or perpetrators as a means of resolving an ASB case; we will deal with the ASB The only exception to this is in very extreme situations, where there are fears for the customers safety. The recommendations and assistance of statutory agencies will be required in considering such a move. For occupants of our leasehold properties we will offer support and provide information about the potential options available to them.

### **Support for Perpetrators**

- 3.17 The landlords will consider whether the perpetrator may benefit from help and support from relevant support agencies and make such referrals as considered appropriate taking vulnerability into account. The ability to do so may be impacted by a perpetrators unwillingness to engage or provide authority.
- 3.18 When perpetrators of ASB are juveniles, the landlords will attempt to work with other partner agencies and parents to manage the ASB. Early intervention and prevention will be the preferred option but legal action will be taken where necessary.

### **Work in a Multi-Agency Environment**

- 3.19 We will take an active role in a multi-agency approach to tackling the causes and consequences of ASB through full involvement in the Community Safety Partnerships.
- 3.20 We will work in partnership with the Police, Local Authorities and the other signatories to the Community Safety Partnership Information Sharing Protocols.
- 3.21 We will, where relevant legal powers are not available to us, work in partnership with those statutory agencies with whom such powers reside in order to meet the aims and principles set by this policy.
- 3.22 We will contribute to any arrangements whereby local agencies work together to map incidents in order to enable the identification of any trends and 'hot spots' of activity.

### **Undertake Prevention Activity**

- 3.23 We will ensure that the clauses in our Tenancy Agreements prohibiting nuisance and ASB are clearly explained to tenants at the sign up of their tenancy.
- 3.24 We will work in partnership with others to engage residents in activities aimed at reducing ASB.
- 3.25 We have in-house mediation and restorative justice practitioners and will use these services as appropriate.

### **Action Against Perpetrators**

- 3.26 We will make full use of the range of enforcement measures and legal options available to us to effectively address ASB.
- 3.27 Where appropriate, we will identify any support needs of perpetrators and refer them to the appropriate agency.

### **Training**

- 3.28 We will ensure that all colleagues dealing with ASB are regularly trained and are able to respond to reported incidents effectively and in accordance with the Landlords procedures.
- 3.29 We will ensure regular training and updates around disability, mental health issues and the impact of alcohol and drug abuse as they all have a strong part to play in ASB.

## **4. Measurement**

- 4.1 We have measures for responding to ASB incidents and we will monitor and report on our performance.

- 4.2 We will ensure that all reports of ASB are recorded, categorised and monitored from receipt to case closure and that information is analysed on a regular basis. We report our Tenant Satisfaction Measure on ASB.

### **Our Responsibilities**

- 4.3 We will respond quickly to reports of ASB, recognising that this can help to prevent situations from escalating.
- 4.4 We will take action that is reasonable and proportionate to the type of the ASB that has been reported and appropriate to the available evidence.
- 4.5 We will deal with all reported incidents sensitively, fairly and impartially.

### **Complainants Responsibilities**

- 4.6 We have the following expectations of complainants in working with us to help resolve the anti-social behaviour they have reported to us:
- To respond to our telephone calls and/or letters without undue delay.
  - To be available for agreed pre-arranged meetings or home visits.
  - To provide and/or collect information about the ASB so that we can take appropriate action.

### **Obligations of Tenants and Occupants of Leasehold Properties**

- 4.7 Tenants are responsible for abiding by the terms of their tenancy agreement and the tenant, or anyone living with, or visiting the tenant, must not cause nuisance, annoyance or disturbance to any person living in, or engaging in lawful activity in the locality of their home.
- 4.8 Leaseholders are responsible for abiding by the terms of their lease, which contain similar clauses relating to nuisance, annoyance or disturbance. Leaseholders are also responsible for ensuring that any occupants of sub-let leasehold properties also abide by these conditions.

### **Monitoring and Responsibilities**

- 4.9 The Head of Communities is responsible for delivering the policy and will be accountable for its implementation and colleague training
- 4.10 Every relevant colleague has the responsibility to read, understand and implement this policy.
- 4.11 All contractors, consultants and partner organisations are responsible for operating in accordance with this policy when delivering services on behalf of the landlords.



## Equality Impact Assessment Form

<b>Strategy / policy / procedure / service / function / project being assessed</b>	Anti-Social Behaviour Policy
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<b>Stage 1 Lead officer</b>	██████████	
<b>Date of assessment</b>	July 2024	
<b>Date for next review</b>	July 2027	
<b>Reason for assessment</b>	Review of policy.	
<b>Agreed and signed off by lead officer's line manager</b>	██████████	Date 18/07/2024

<b>Stage 2 Aims of the service / function / policy/project under assessment</b>	The policy explains how to we respond to reports of anti-social behaviour.	
<b>Main stakeholders / beneficiaries</b>	All Connexus customers Other customers who experiencing ASB caused by a Connexus customer. Colleagues Contractors for Connexus	
<b>Who is likely to be affected by the service/ function/ policy/project?</b>	As above	
<b>What are the arrangements for monitoring and reviewing the actual impact of the service/function/policy/project?</b>	The policy is reviewed every three years or if there is a change in legislation.	





<b>Stage 3</b>				
<b>Collect and evaluate the evidence</b>				
<b>Key questions</b>	<b>Positive impact</b>	<b>Negative impact</b>	<b>No specific impact on any one group</b>	<b>Evidence</b>
Does the policy or service have a positive or negative impact on any racial groups? Describe how and which.			X	The policy applies to all Connexus customers regardless of racial group. There is a separate Hate Crime/Incident policy and procedure.
Does the policy or service have a positive or negative impact on individuals where English is not their first language? Describe how and which.		X		Currently all letters within the ASB management systems are written in English. We are required to serve any legal notices in English. We mitigate this where possible by using translation services for all important communication. Where necessary we would arrange for all legal documents to be served in the customers first language as well as English.
Does the policy or service have a positive or negative impact on women or men? This includes Transgender people / Trans people. Describe how and which.			X	This policy applies to all Connexus customers regardless of identified sex or gender.
Does the policy or service have a positive or negative impact on people of a particular age? (e.g. children, young people, older people). Describe how and which.			X	This policy applies to all Connexus customers regardless of age.

Key questions	Positive impact	Negative impact	No specific impact on any one group	Evidence
Does the policy or service have a positive or negative impact on people with disabilities? Describe how and which.	X			We provide a number of ways for people to help us collect evidence of ASB and will work with the customer to ensure we are meeting their needs.
Does the policy or service have a positive or negative impact on people with particular sexuality / sexual orientation? Describe how and which.			X	This policy applies to all Connexus customers regardless of sexuality and/or sexual orientation. There is a separate Connexus Hate Crime policy.
Does the policy or service have a positive or negative impact on people in terms of marriage/civil partnership status? Describe how and which.			X	This policy applies to all Connexus customers regardless of marriage or civil partnership status.
Does the policy or service have a positive or negative impact on people with a particular religion or belief? Describe how and which.			X	This policy applies to all Connexus customers regardless of religion or belief.
Does the policy or service have a positive or negative impact on people in terms of pregnancy/maternity? Describe how and which.			X	This policy applies to all Connexus customers regardless of pregnancy/maternity.
Is it possible that the service/function/policy could discriminate or unfairly disadvantage those that do not have access to digital equipment?		X		We are increasingly reliant on using digital equipment to collect evidence such as the Noise App or emailing photos. To mitigate this we work with the customer to provide them with the appropriate digital equipment or work with them to understand what they are able to achieve.
Is it possible that the service/function/policy could discriminate or unfairly disadvantage or cause an individual/community financial hardship?		X		The use of digital equipment could be costly in terms of data usage. If this should the case then we would seek to support the customer using the Connexus hardship fund.

<b>Outsourced services</b>	
If delivery of your strategy, policy, project or service is partly or wholly provided by external organisations / agencies, please list any arrangements you plan, to ensure that they promote equality and diversity.	Our policy is not delivered by an external agency. We do work with other statutory agencies such as the Police or Social Services to resolve issues. All statutory services promote equality and diversity and have their own policies.
<b>Relations between different equality groups</b>	
Does your assessment show that a policy, project or service may have a differential impact between any discrete groups? If yes, please explain how this issue is going to be tackled.	No

**Stage 4 – Summary of replies from individuals and stakeholders consulted, including any previous complaints on equality and diversity issues about the policy or service**

We have received complaints from customers stating that they are unable to use the Noise App. In such cases, a Housing Officer has visited to show them how to use it on their own devices or we have provided customers with a smartphone.

**Stage 5 – Options resulting from this equality impact assessment, including measures necessary to minimise or remove any adverse impact and better promotion of equality and diversity. Consider any alternative solutions**

The policy clearly states that we will support customers to collect evidence in a way that is most suitable for them.

**Stage 6 – Arrangements for regular monitoring of the impact of the policy, project or service**

The policy is reviewed every three years or if there is a change in legislation. Any changes following complaints or Housing Ombudsman determinations would be considered as they arose.

**Stage 8 – Any actions and outcomes, including how these are to be communicated both internally and externally as required**

None.