



ANTI-SOCIAL BEHAVIOUR POLICY

Lead Manager:	Neighbourhoods Manager
Responsible Senior Manager:	Assistant Director Housing
Approved By:	Customer Committee
Date Approved:	June 2024
Date for Review:	June 2027
Replaces Previous Version:	ASB & Domestic Abuse Policy – Version 1
Version Number:	1.0
Linked Policies:	Tenancy Management Policy, Domestic Abuse Policy, Vulnerability Policy, Safeguarding Policies, Reasonable Adjustments Policy, Complaints Policy

CONTENTS

1. Aim of the Policy
2. Introduction
3. Definitions
4. Prevention and Early Intervention in Anti-Social Behaviour
5. Tools and Powers to Tackle Anti-Social Behaviour
6. Multi-Agency Partnership Working
7. Community Trigger
8. Support for Victims
9. Support for Perpetrators Information Sharing
10. Confidentiality, Safeguarding & Data Protection
11. Equality & Diversity Commitment
12. Monitoring & Review

1. Introduction

- 1.1. Shropshire Towns and Rural Housing (STAR) is an Arms' Length Management Organisation; (ALMO) and manages the stock on behalf of Shropshire Council. It is responsible for the Council's housing stock including the letting, maintenance, and management of its properties and estates.
- 1.2. We acknowledge that living with ASB causes distress to residents and damages communities. We aim to take a robust approach to tackling ASB by utilising all legal and non-statutory options available, to modify behaviours and minimise any harm caused.
- 1.3. This policy sets out how we will implement an effective, strategic framework for deterring and tackling nuisance and Anti-Social Behaviour (ASB) where we are the appropriate agency. The policy will be made operational through training staff, clear communications, working with partner agencies and implementing proactive and effective operational procedures.
- 1.4. Domestic Abuse - We recognise the serious impact of domestic abuse and the role we have in tackling it as part of a multi-agency approach. In such cases we will apply our Domestic Abuse Policy. We may also deal with issues arising from domestic abuse allegations as ASB under this policy where the issues are affecting people not of the same household, for example, serious and persistent noise nuisance, or criminal damage.
- 1.5. Safeguarding - Where safeguarding concerns arise in dealing with allegations of ASB we will apply the Safeguarding Policy.
- 1.6. This policy applies to of STAR's customers.

2. Legal Framework and context

2.1. This policy has been developed in line with Part 2 of Section 12 of the Antisocial Behaviour Act 2003 and the Anti-Social Behaviour Crime and Policing Act 2014 that requires all housing organisations to prepare such a policy and gives legal powers in relation to dealing with nuisance and ASB.

2.2. This policy also links to:

- the Housing Act 1996.
- the Anti-Social Behaviour Act 2003
- the Regulator of Social Housing consumer standards

3. Policy statement

3.1. We are committed to ensuring all our customers and local residents enjoy their right to peace, quiet and security in and around their homes and will not tolerate anti-social behaviour from residents, their visitors and those seeking to be customers of STAR Housing

3.2. We will challenge ASB quickly and remove activity which causes nuisance and annoyance to its customers, residents of Shropshire, partner agencies and its staff, providing a high-quality level of support to victims and taking efficient and effective enforcement action where appropriate.

3.3. We will not tolerate hate crime or domestic abuse and will offer support and assistance to deal with it effectively, where either the victim or the perpetrator lives in, or are visiting, a STAR Housing property.

3.4. We will act proportionately to all incidents of ASB in the speed and nature of its response.

3.5. We will train staff within the organisation to help deal with domestic abuse or hate crime. This will include recording information, assessment, and referrals to other agencies.

3.6. Further detail on how we will tackle and address anti-social behaviour across our communities is detailed later in this policy.

4. Definitions

4.1. STAR adopts the following definition of anti-social behaviour as outlined in Section 2 (1) The Anti-Social Behaviour, Crime & Policing Act 2014:

- a) *Conduct that has caused, or is likely to cause, harassment alarm or distress to any person,*
- b) *Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or*
- c) *Conduct capable of causing housing-related or annoyance to any person.*

4.2. Harassment is the interference with a person's comfort or safety. Dependent on the grounds, it may be sexually, disability or racially motivated.

4.3. **This conduct can include but is not limited to:**

- Noise nuisance.
- Verbal or written abuse / harassment / intimidation / threats (text/social media).
- Hate related incidents.
- Vandalism and damage to property.
- Pets and animal nuisance.
- Nuisance from vehicles.
- Drug dealing/substance misuse.
- Assault including bodily harm.
- Arson or attempted arson.
- Domestic abuse.

4.4. We utilise the Gov.uk definition of hate crimes which is 'Crimes committed against someone because of their disability, gender-identity, race, religion or belief, or sexual orientation are hate crimes and should be reported to the police.'

4.5. Our definition of Domestic Abuse is set out in our Domestic Abuse Policy.

4.6. Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

4.7. Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

5. Prevention and Early Intervention of Anti-Social Behaviour

5.1. The prevention and early intervention in cases of ASB is preferable to enforcement action, with the investigation of all complaints, enforcement of tenancy conditions, and the provision of support and incorporating a victim centred approach to those affected. Action taken will involve, where appropriate, partner agencies and look for the most pragmatic low-level solution including:

- Mediation.
- Warning letters.
- Personal Visit.
- Uniformed patrols (Police, Police Community Support Officers).
- Parenting contracts.
- Acceptable Behaviour Contracts.
- Restorative justice.
- Installation of CCTV and utilisation of noise monitoring equipment.
- Design (communal areas).
- Graffiti removal (within 24 hours if hate related).

5.2. Legal action is considered a last resort, and STAR will attempt to resolve incidents informally, where appropriate. The decision to pursue legal action must be based upon an appropriate level of supporting evidence. It is recognised that in some cases Court action may not always be successful in resolving disputes.

6. Tools and Powers to Tackle Anti-Social Behaviour

6.1. When non-legal resources have been exhausted and evidence gathered, STAR, working with partner agencies as necessary, may choose to utilise legal enforcement actions available including:

- Injunctions.
- Dispersal powers.
- Community Protection Notice.
- Public Spaces Protection Order.
- Criminal Behaviour Orders.
- Possession proceedings.
- Prosecution under Environmental Prosecution Legislation.
- Eviction Orders.
- Premise Closure Orders.
- Parenting Orders.

6.2. Seeking possession of a customer's property as a result of anti-social behaviour will always be our last resort. There are a range of other measures available to STAR Housing before seeking possession of a property. These include:

- Suspension of a Right to Buy request (where appropriate Court order has been made or Hearing pending).
- Exclusion from Mutual Exchange (where appropriate Court order has been made or Hearing pending)
- Suspension or exclusion from Shropshire Home Point Register
- STAR Housing tenancy policy– not to be offered a tenancy due to previous behaviours.

7. Multi-Agency Partnership Working

7.1. STAR recognises that most ASB cannot be tackled in isolation and working in partnership with the Police and other internal and external partner agencies is necessary. ASB and its causes and effects are wide and varied and our work could not be effective in dealing with these issues without a partnership approach. Our main partners include, but are not limited to:

- Shropshire Council Public Protection Team
- West Mercia Police
- Other housing providers
- Shropshire Fire and Rescue Service
- Community Mental Health Teams
- Adult & Children's Services
- Education services
- Victim support
- West Mercia Women's Aid
- Multi Agency Risk Assessment Conference (MARAC)

7.2. SOCJAG Meetings (Serious Organised Crime Joint Action Group Meetings) have been developed across Shropshire primarily to discuss County Lines and other serious crime across the area and to share and proactively exchange information relevant to these. An information sharing agreement is in place to facilitate the legal sharing of information.

8. ASB Case Review

- 8.1. An ASB case review is a formal anti-social behaviour case review process. In this review, organisations will identify if any further action can be undertaken, and each organisation will complete any actions identified.
- 8.2. An ASB Case Review does not guarantee the anti-social behaviour will be resolved. But it does ensure that all appropriate actions are being taken to address it.
- 8.3. Star will attempt to resolve cases of ASB proactively, if there are several agencies involved and the case is serious and complex, to ensure a combined approach, we will call multi-disciplinary case conference.
- 8.4. If this fails the individual can then refer into the 'ASB case review' process managed by Shropshire Safeguarding Community Partnership which has a panel including a representative from the Police, the Integrated Care Board, the chair of the social housing forum and victim support.

9. Support for Victims

- 9.1. It is important that our response to ASB is focused on the needs of the victim, and all incidents are dealt with promptly and involve the appropriate agencies. Our victim-centred approach will ensure that effective and appropriate mechanisms to report and tackle ASB are available.
 - We will deal with incidents promptly keeping the complainant informed.
 - We will take account of the views of victims when deciding how to respond to incidents.
 - We will consider the use of professional witness services in extreme cases where we are unable to obtain or to add to satisfactory evidence.
 - The police along with STAR Housing will consider provision of an alarm to provide reassurance, in conjunction with other security measures such as security lights and locks.
 - Where a victim has left the home due to ASB including domestic abuse, STAR will act sympathetically to help the victim identify and consider options available, while taking into consideration any outstanding debts to us.

10. Support for Perpetrators

- 10.1. Tackling the perpetrators is key to our approach to dealing with ASB. However, we recognise that some perpetrators may be vulnerable. We will, in such circumstance make referrals to appropriate agencies. We will attempt to engage with perpetrators, offering them advice and support to assist them in changing their behaviour.
- 10.2. When perpetrators of ASB are juveniles, we will work with partners to ascertain the cause of the behaviour. We will interview juveniles with parents / guardians and with other agencies as appropriate.

11. Information Sharing Protocol

- 11.1. STAR is a signatory to an Information Sharing Protocol. All partners may exchange relevant information for the specific purpose of addressing and preventing ASB in accordance with the information sharing protocol under the provisions of the Crime and Policing Act 2014.

12. Confidentiality, Safeguarding and Data Protection

- 12.1. We will ensure that all victims, perpetrators, and witnesses know that maintaining confidentiality as far as is possible is of crucial importance, particularly to the safety of a victim.
- 12.2. We will only involve other agencies or share information with the written consent of the service user and if the following conditions are met:
- Any disclosure of information has due regard to Common Law, including the Common Law duty of confidence and statutory restrictions on disclosure, including Data Protection legislation.
 - We have advised the data subject that the information will be passed on or that there is a need to disclose the information as prescribed in the Crime and Policing Act 2014. This will be in accordance with our obligations under the Data Protection Act 2018.
- 12.3. We will be exempt from the previously mentioned conditions if it is:
- Under a legal obligation to share or disclose the information for the protection of vulnerable adults or children or for the purposes of the prevention or detection of crime

13. Consultation

13.1. Shropshire Towns and Rural Housing consults with staff, external agencies, tenant policy focus groups and STAR’s customer services subcommittee to promote continuous improvement and develop good practice in the use of this policy.

14. Review

14.1. STAR will review this Policy on a 3-yearly basis unless changes require an earlier review.

15. Training

15.1. Shropshire Towns and Rural Housing provides continuous development and training for its staff who are responsible for implementing this policy.

16. Roles and Responsibilities

All employees	General overview of Policy
Neighbourhood Housing Officers	Implementation of Policy
Senior Neighbourhood Officers	Line Management Responsibility of neighbourhood officers in the implementation of this policy
Neighbourhood Manager	Overall responsibility for the operational day to day implementation of this policy. Monitoring performance indicators and management information and day to day oversight of the quality of service and outcome
Assistant Director Housing	Accountable for the implementation of this policy and for reporting performance to key stakeholders including SMTs, ET and CCB

17. Equality and Diversity

17.1. We will ensure that this policy is applied fairly and consistently to all our customers. We will not directly or indirectly discriminate against any person or group of people because of their race, religion, age, gender, marital status, sexual orientation, disability, or any other grounds set out in our Equality, Diversity, and Inclusion policy.

17.2. When applying this policy, we will:

- Ensure that we consider customer vulnerabilities in line with our Vulnerability Policy
- Make any reasonable adjustments required in line with our Reasonable Adjustments Policy
- Act sensitively towards the diverse needs of individuals and communities.
- Take the necessary positive action to reduce discrimination and harassment in local communities.

17.3. This policy and any other related publications of Shropshire Towns and Rural Housing are available on request in other formats (e.g., in an alternative language, in Braille, on tape, in large type)

