Anti-Social Behaviour Policy

1.0 Purpose and scope

We are committed to tackling anti-social behaviour (ASB) in a responsive, proportionate and robust manner. This policy sets out a clear definition of ASB and outlines what measures we take to:

- Prevent incidents of ASB from occurring
- Investigate reports of ASB, in partnership with specialist agencies where appropriate
- Take action to stop ASB, where there is sufficient evidence
- Support all residents to sustain their tenancy

This policy applies to all residents, their household members and their visitors.

2.0 Definitions

**Anti-social behaviour:** covers a wide range of activities that have a negative effect on the quality of community life and has many causes; it is defined as:

> ‘Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person or 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’.

**Housing-related nuisance** means behaviour that directly or indirectly relates to or affects our housing management function to carry out day-to-day activities and the strategic management of our stock.

3.0 Resident’s obligations

We are clear about the standard of behaviour that we expect from residents before they sign an occupancy agreement with us: whether unintentional or deliberate, they must not commit, or allow their family or visitors to commit, acts of ASB towards other residents, people in the local area, or our staff or contractors. We stress that if ASB arises, it may lead to action being taken against them.
4.0 Preventing ASB

We understand the alarm and distress that ASB can have on communities and as such are committed to preventing it from occurring in the first place. We have measures in place to reduce the potential for ASB to occur, which include:

- Having effective designs for new developments and making reasonable improvements to existing developments
- Conducting regular inspections of the estates that we manage and promptly reporting repairs that compromise the security of a building
- Carrying out a sensitive let where we recognise that a vulnerable resident may be at risk of being harmed if they move into a property
- Explaining to new residents what ASB is when they sign their tenancy
- Publicising successful cases to ensure the wider community is aware of our commitment to tackling ASB.

5.0 Dealing with ASB effectively

ASB covers a variety of activities that impact individuals differently and a wide range of responses are required to tackle it effectively. We balance enforcement action and intervention with support for residents who request help sustaining their tenancy.

5.1 Responding to reports

On receiving a report of ASB, we contact the complainant within 1 working day and offer to visit them within 5 working days. Our initial response is to investigate and monitor any risk. If a crime has been committed, we advise the complainant to contact the police.

In determining the seriousness of the ASB and what the proportionate action for resolving it would be, we consider the nature of the ASB, the frequency of incidents and the impact that the behaviour is having on the complainant and the wider community. Being clear and realistic about potential outcomes and the timescales involved, we then develop an action plan with the complainant, choosing from a toolkit of different actions and providing them with information on other agencies who might be able to offer additional support

On some occasions, the alleged perpetrator may report an incident involving the complainant. We adopt the same approach when responding to allegations about a complainant.

5.2 Early intervention

Except in very serious cases, the aim of our initial intervention is to stop the problem behaviour. The intervention we use varies according to the nature of the ASB. Early intervention tools include: meditation; warnings; acceptable behaviour contracts; and parenting contracts.

5.3 Tenancy support

There are many factors that could influence a person’s behaviour in ways that could lead some to perceive it as anti-social. Where the alleged perpetrator is vulnerable, and this vulnerability is related to reported incidents, we offer them support with sustaining their tenancy where we are able to or refer them to external agencies who can support them.
5.4 Enforcement action
We consider legal action where there is sufficient evidence of a tenancy breach. Eviction is only considered either in exceptional circumstances or where all other interventions have failed. As appropriate, we make use of: legal notices; injunctions; mandatory possession; and discretionary possession.

6.0 Multi-agency and partnership working
We recognise that any one agency alone may not be able to resolve ASB in communities. We adopt a multi-agency approach to preventing and tackling ASB and offer the police and the local authority support when they are able to take action.

We work in partnership with agencies at both the strategic level (for example on Crime and Disorder reduction partnerships) and at operational levels (for example with local police).

We co-operate fully with the Community Trigger process to help resolve cases of ASB.

7.0 Closing the case
After a report of ASB has been investigated, we draw it to a close. A case may be closed where:

- An investigation has been concluded, appropriate action has been taken and no further incidents have occurred over a given period (this will vary depending on the nature of the case); or
- We are unable to gather sufficient evidence in order to take any action.

We consult the complainant before proposing to close a case and explain our reasons for doing so. We listen to any reasons they give us as to why the case shouldn’t be closed.

8.0 Our approach
In writing this policy we have carried out assessments to ensure that we are considering:

- Equality, diversity and inclusion
- Privacy and data protection

To request a copy of these assessments, please contact us at policy@nhg.org.uk
Document control

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Hate Incidents and Hate Crime Policy

1.0 Purpose and scope

This policy outlines how we tailor our approach to tackle forms of Anti-Social Behaviour that are hate-related. Hate incidents and hate crimes can leave victims feeling isolated and can significantly impact individuals, families or communities. We are committed to combatting hate-related incidents and promoting safe and cohesive communities.

9.0 Definitions

The police and the Crown Prosecution Service define a hate crime as:

‘Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person’s disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity’

A hate incident may or may not constitute a criminal offence. Here we have widened the definition of a hate incident to include an incidence of anti-social behaviour that is perceived by the victim to be motivated by prejudice. This could include, for example, anti-social behaviour targeted at an individual because of their age, gender or employment status.

Hate incidents and hate crime can range from isolated incidents of hostility to collective acts of aggression. They can include: attacks or threats of attack; verbal abuse or insults; and exclusion.

10.0 Prevention

We aim to prevent hate incidents and hate crime by ensuring that actual or potential perpetrators are aware of the specific consequences of hate-related acts. Effective and inclusive resident involvement, such as community events, can help develop cohesive communities and promote positive relations between different groups.

1 https://www.cps.gov.uk/hate-crime
To encourage reporting, we aim to build awareness of hate-related incidents amongst residents through publicising information and advice via a range of media, such as our website and leaflets.

11.0 Responding to reports

We respond to all reports of hate-related incidents within one working day. We encourage victims of a hate crime to report this to the police. Where there is a threat to their life or safety, we report this to the police.

We take a victim-centred approach and all reports which are perceived by the victim to be motivated by prejudice are recorded as a hate incident. If, following investigation, there is no evidence of targeted harassment, we continue to deal with the matter in line with our ASB procedure and aim to defuse tensions between the victim and the perpetrator, for example, through mediation.

Where possible, we provide support with translation. We do not expect friends or relatives to interpret for victims but will take such reports if this is the victim’s preferred communication method. We never rely on children who are under 18 to translate these reports.

12.0 Supporting victims and witnesses

We understand that the first report of a hate-related incident may be made weeks or months after persistent harassment. We do not limit our focus to isolated reported incidents, but consider the continuity of incidents over a period, which together can damage the physical and emotional health of victims and their families.

Staff are sensitive to the particular impact that these types of cases can have on the victim, a family and a community. We may provide support or make a referral to an external agency, including social services, health services and victim support.

13.0 Security measures

Harassment often centres on a victim’s home and as such impacts their daily life. We help protect tenant and licensees through security measures to their home and surrounding area, as appropriate and in partnership with other agencies such as the police. We assist homeowners by approving security improvement requests as needed. Witnesses at risk of intimidation or reprisals are eligible for the same types of support and protection.

All repairs relating to security of or damage to a property as the result of violence or offensive graffiti are dealt with as an emergency, which means we aim to make safe within 24 hours of it being reported.

14.0 Action against perpetrators

We are aware of the powers of the court to increase sentencing in cases where there is evidence of hostility motivated by prejudice. We consider using the full
range of civil and legal remedies against perpetrators, including: injunctions and possession proceedings and the use of mandatory grounds where applicable.

Where possible and appropriate, we support perpetrators to engage in restorative justice and behavioural change. If the perpetrator has support needs, we also take this into account and either provide support ourselves or refer the perpetrator to external support agencies such as social services, health services or support agencies.

15.0 Alternative accommodation

We acknowledge that moving home for a victim, particularly those with a family, can be disruptive, unsettling and can be viewed as a victory for the perpetrator. Residents should not be pushed out of their homes because of experiences of hate-related incident. However, if a victim is unable to remain safely in their home due to harassment, we can advise them of their options for re-housing and support them in finding alternative accommodation.

We continue to pursue action against the perpetrator after the victim has moved home, where we have enough evidence to do so.

16.0 Working in partnership

We cannot prevent and tackle hate-related incidents alone, particularly given the effect that these incidents can have on the wider community. An effective response requires us to work closely with other agencies, looking beyond the individual reported incidents that relate to the home. We work closely with the police to collect evidence, such as CCTV.

We join and participate in multi-agency forums relating to hate incidents and hate crimes in areas where we hold substantial housing stock. We help develop and participate in local networks of third party reporting centres.

17.0 When the victim requests that no action is taken

We recognise that hate-related incidents can cause fear among victims and therefore have regard for a victim’s wishes if they insist that no action is taken, and we have no safeguarding concerns.

We always explain what actions can be taken against perpetrators, some of which need not involve the victim, such as applying for an injunction of affidavit evidence, which does not require the victim to attend court.

In cases where there are numerous complaints amongst the community and one victim has withdrawn their report, we judge, on a case by case basis, the safest way to manage the complaint.

18.0 Monitoring

We monitor the number and nature of hate-related incidents reported to us to establish whether such incidents are more common to a specific area or are affecting various individuals in one community. We also monitor the diversity data of both victims and perpetrators to increase our understanding of which groups
are most affected by hate incidents and hate crime. We report on the data and the results of our analysis every six months.

19.0 Supporting staff

We understand that staff may find investigating hate-related incidents upsetting and stressful, and ensure that staff are properly supported and offer them support through the Employee Assistance Programme.

We provide guidance to staff on how to record incidents and make them aware of local support agencies for victims of hate incidents and hate crimes. All staff are trained on equality and diversity as part of their induction.

We promote a safe and diverse working environment for staff and contractors. We do not tolerate abusive behaviour towards staff and will take action against residents who show prejudice towards staff.

20.0 Our approach

In writing this policy we have carried out assessments to ensure that we are considering:

- Equality, diversity and inclusion
- Privacy and data protection

To request a copy of these assessments, please contact us at policy@nhg.org.uk

21.0 Reference

- Criminal Justice Act 2003
- Protection from Harassment Act 1997
- ASB, Crime and Policing Act 2014
Domestic Noise and Neighbourhood Disputes Policy

1.0 Purpose and scope

We house a diverse range of residents with different lifestyles. We encourage residents to respect these differences and to be mindful of how their lifestyle might impact others. Sometimes lifestyles clash and we aim to support residents to resolve these differences at the earliest opportunity. Often it isn’t appropriate to manage these matters through the Anti-Social Behaviour (ASB) policy and so we have developed this separate policy to enable us to provide an effective response.

22.0 Definitions

Neighbourhood dispute – is a conflict between neighbours, where there has been no breach of occupancy agreement. This includes but is not limited to: personal dislike; cooking smells; behaviour of children; smoking; cleaning/gardening arrangements; and inconsiderate parking.

Domestic noise – is the experience of noise caused within a domestic residence; it is noise caused by every day, daytime household activities. This includes but is not limited to noise from: household appliances; children; ball games; talking; banging doors; pets; a television or speakers. We exclude instances where the noise is too loud or amplified, which is considered noise nuisance and dealt with as ASB.

23.0 Responding to reports

We recognise that domestic noise and neighbourhood disputes can impact a resident’s enjoyment of their home. At the same time, we respect the right of each resident to live in their home without interference from us, unless they have breached their occupancy agreement.

We promote tolerance and an understanding that each resident has the right to their own chosen lifestyle, as long as it does not negatively interfere with the lives of others.

On receiving a complaint of domestic noise or of a neighbourhood dispute from a resident, we advise them to politely discuss the issue directly with their neighbour in the first instance, if they feel confident to do so. If they lack the confidence to do so, we give them hints and tips on how they could start a conversation with their neighbour.
We have found that the most effective and lasting solutions are reached when all parties involved discuss the issue(s) together and at an early stage, rather than allowing concerns to build up. We encourage this approach, particularly as neighbours may not be aware that they can be heard from outside their home.

We advise residents of what tools are available to help them resolve these matters. These can include: mediation; advice from housing management; support provided for by either us or an agency.

24.0 Further action

We recognise that despite our intervention at an early stage, some neighbourhood disputes or domestic noise cases may escalate and turn into behaviour that is recognised as anti-social. If a resident believes the issue reported should be dealt with in line with our ASB policy, we review the case, which may include contacting the other party to investigate further. As outlined in our ASB policy, legal action is a last resort to managing ASB and is only taken if all other tools for dealing with ASB have been unsuccessful.

25.0 Our approach

In writing this policy we have carried out assessments to ensure that we are considering:

- Equality, diversity and inclusion
- Privacy and data protection

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26.0 Reference

- The Environmental Protection Act 1990
- Cleaner Neighbourhoods and Environment Act 2005
- Noise and Statutory Noise act 1993
- Noise Act 1996 (as amended by the Anti-social Behaviour Act 2003)