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## Anti-social Behaviour

### 1.0 Introduction

1.1 Coastline takes Anti-social Behaviour seriously and aims to ensure customers and the communities where they live are pleasant places to live for all. Coastline will ensure that we have sufficient resources to manage all aspects of Anti-social Behaviour and that where appropriate legal action is taken. The Anti-social Behaviour, Crime and Policing Act 2014 was designed to put victims at the heart of the response to anti-social behaviour (ASB) and give professionals the flexibility they need to deal with any given situation. The aim of the Act was to streamline the toolkit professionals have at their disposal to deal with antisocial behaviour into a unified framework of six powers, down from 19 created in various legislation including the Crime and Disorder Act 1998 and Anti-Social Behaviour Act 2003.

1.2 This policy sets out:

- Definitions of ASB;
- The guiding principles for those colleagues who deal with ASB;
- What we want our services to achieve for people experiencing ASB, and the principles on the kind of service level and quality we aim to provide.

1.3 This document confirms how we respond to reports of ASB (S.12) but does not say how we will deal with ASB on a day-to-day basis; this is covered in our ASB Procedures document.

1.4 ASB is a broad term used to describe the day-to-day incidents of crime, drug use, drug dealing, nuisance and disorder that make many people's lives a misery – from litter and vandalism, to public drunkenness or aggressive dogs, to abusive neighbours or those who cause statutory noise nuisance, such as playing loud music, on a continual and ongoing basis. Such a wide range of behaviours means that responsibility for dealing with ASB is shared between a number of agencies, particularly the police, councils and social landlords.

### 2.0 Aim / Purpose of the Policy

2.1 This policy outlines to our customers and colleagues the key principles Coastline will apply in dealing with Anti-Social Behaviour (ASB) in our communities.

2.2 We want our communities to be places where people would like to live. We recognise that people feeling safe in their home and their community is important to how they feel about where they live.

2.3 We accept that everyone has a right to their chosen, lawful, lifestyle providing this does not spoil the quality of life for others. We have an important role in making sure that such rights and obligations are managed effectively. Tackling ASB and nuisance is essential in achieving this result. This policy aims to prevent and reduce harm caused by ASB to people and communities.

2.4 We are committed to tackling ASB and to ensuring there is awareness and access to support services that meet the needs and requirements of our customers. We recognise the importance of partnership working and will work with statutory and non-statutory agencies where required.

- 2.5 This policy covers all customers (regardless of tenure), colleagues, stakeholders, and our neighbourhoods affected by ASB which fall within our area of responsibility.
- 2.6 Although domestic abuse is linked to ASB, we have a separate Domestic Abuse Policy that sets out our commitments to addressing domestic abuse for customers, and a Domestic Abuse Guidance document for colleagues.
- 3.0 Policy Detail**
- 3.1 The Home Office guidance on the Anti-Social Behaviour, Crime and Policing Act 2014 states “In terms of the behaviour itself, what is seen as ‘anti-social’ will vary from victim to victim, and community to community. This is one reason why we changed the way in which incidents of anti-social behaviour are reported, no longer focusing on the behaviour, but on the impact it has on the victim”.
- 3.2 The 2014 Act gives the following definition of ASB:
- 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.
- 3.3 Coastline’s working definition of ASB is broader than the 2014 Act and is based on a range of definitions contained in various Acts of Parliament and in summary includes:
- Being convicted of an indictable offence in the locality;
  - Being convicted of using a property for illegal or immoral uses;
  - Acting in a manner that is likely to cause harassment, alarm or distress to others; and
  - Acting in a manner which causes nuisance or annoyance to others.
- 3.4 For the purposes of seeking a housing injunction, the Housing Act 1996 defines behaviour, which can result in an injunction (under the Housing Act 1996) as:
- conduct which is capable of causing nuisance or annoyance to any person AND;
  - directly or indirectly relates to or affects the housing management functions of a relevant landlord OR;
  - consists of, or involves using or threatening to use, housing accommodation owned or managed by a relevant landlord for an unlawful purpose.”
- 3.5 Examples of ASB could include noisy parties, loud arguments, or intimidating behaviour; and could include criminal activity such as hate crime, drug dealing, or threats of violence. Issues like pet nuisance, fly-tipping, or an untidy garden, are what Coastline would define as environmental ASB.
- 3.6 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 after investigation we consider to be:
- A difference in lifestyle, by which no actionable ASB is present;
  - Entrenched personal disputes;
  - Unintentional/accidental behaviour of children;
  - One off, low risk events;
  - Reports that are not supported by evidence.

#### **4.0 Categorisation levels of ASB for reporting purposes**

4.1 This is represented by three distinct types of ASB (which are defined by the National Standards in Incident Reporting used by the Police):

#### **4.2 Definitions**

##### **1. High level Anti-Social Behaviour**

The following statements are the official definitions for ASB and are used by all the statutory agencies to ensure a common approach.

##### **Category 1/A:**

Immediate danger to life or property. Where immediate legal action is required such as injunction, Criminal Behaviour Order or Community Protection Notice. Examples of category 1/A would be disorder associated with the use of Class A drugs such as cuckooing, violence, intimidation or harassment on grounds of race, sexual orientation, religious belief or disability.

##### **Category 2/B:**

If there are several incidents of ASB, personal injury or property is at risk. Examples would be noise nuisance, car repairs, dumping rubbish or rowdy behaviour.

##### **2 Low level Anti-Social Behaviour**

##### **Category 3/C:**

If ASB is not a repeat incident and there is no personal injury or property at risk. Examples would be untidy gardens, noise nuisance or abandoned cars.

#### **5.0 Our Operating Principles**

- 5.1 We will make it completely clear to our existing and prospective customers that ASB is unacceptable and if it arises it may lead to action being taken against them. We will do this by going through the responsibilities of the tenancy agreement and providing advice on request.
- 5.2 We will ensure that we respond to high priority cases (CAT1A above) such as Hate Crimes, Domestic Abuse, cuckooing and Violence within one working day.
- 5.3 We will respond as quickly as possible and acknowledge reports within our published timescales and Customer Pledge to agree an action plan.
- 5.4 We will respond to reports from anyone affected by ASB (customers, non-customers, or colleagues). If either the alleged perpetrator or victim is not a customer, we will work with other agencies and offer support or signposting as required. If the alleged perpetrator is a customer, we will consider all actions available to us.
- 5.5 We also recognise there are times where there could be multiple victims and/or perpetrators and will act accordingly. This could include where a whole neighbourhood or community is being affected.
- 5.6 We will work to reduce and 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. We will apply this policy in line with our ASB procedure.

- 5.7 We will be clear that whilst we work in partnership, our role is that of the landlord. The police, local authorities and other statutory agencies may be best placed to lead on an investigation, for example if the reported behaviour is criminal as well as anti-social; or a statutory nuisance (as defined by the Environmental Protection Act 1990), e.g. noise nuisance, it would be the local authority's responsibility to investigate.
- 5.8 Customers who are not satisfied with our service can refer to our Complaints Policy. If a customer is unsatisfied with our response – they are entitled to activate an independent ASB case review, previously known as the 'community trigger'. For more information on this please see the GOV.UK website - [Anti-social behaviour case review - GOV.UK](#)
- 5.9 We support a wide range of available methods for reporting ASB from individuals, which include written letters, telephone, e-mail, in person, and on-line reporting; these include through the Coastline website, customer portal and receiving reports via social media. We will also receive reports from other agencies such as the police or Local Authority.
- 5.10 We will log any complaints or reports received on our contact management system, regardless of whether any further action is taken. This will be stored in line with our Data Protection, Privacy, and Confidentiality Policy.
- 5.11 We adopt a harm-centred approach to managing ASB. 'Harm-centred' means looking at and prioritising where harm is most likely to occur so it can be managed and minimised. We will use the following principles and are supported by the ASB procedure:
- Assessing impact on all new reports of ASB.
  - Action planning with the complainant to try to resolve the problem and agreeing a communication strategy with the complainant.
  - Triaging low-impact cases allowing priority focus on high-impact victims.
  - Encouraging complainants in low impact cases to speak with their neighbours, where appropriate and safe to do so, which can resolve matters more effectively. We understand that this may not be appropriate in some situations.

Sometimes other agencies such as the police will be better placed to lead on a resolution, for example restorative justice.

- 5.12 We will consider a range of options for tackling ASB, as every case will be different. These include:
- Use of mediation.
  - ASB surveys within the community.
  - Professional witnesses or police evidence.
  - Referral to Local Authority for action/support (inc. noise monitoring equipment).
  - Voluntary contracts, e.g. Acceptable Behaviour Contracts.
  - Action plans, diversionary activities, and community development involvement.
  - Use of the ASB Case Review.
  - Multi-agency meetings, case conferences, other problem-solving groups.
  - Tenancy support.
  - Target hardening in specific circumstances – e.g. providing window alarms, bolts on doors, security lights, or personal attack alarms.
  - Legal remedies under the Housing Acts (court action, Notice of Seeking Possession) or the Anti-Social Behaviour / ASB Crime and Policing Acts (Injunction). These will be considered as a last resort after all other appropriate options have been exhausted.
- 5.13 We will be clear with complainants that our response will be limited if they do not engage meaningfully with the reporting process.

- 5.14 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.
- 5.15 We will follow the ASB procedure when managing ASB cases and will treat each case individually. This means that not all cases will involve the same actions, but each action will follow a proportionate and reasonable response to the problems identified within the case.
- 5.16 Colleagues dealing with cases of ASB have, and will continue to receive, regular specialist training which gives them the skills and knowledge to tackle ASB effectively.
- 5.17 We will ensure that reasonable and appropriate support is offered to victims and witnesses. This may mean referring or signposting to other agencies who may be better placed to provide this.
- 5.18 We will ensure that preventative measures and early interventions are considered at all case stages.
- 5.19 We have a responsibility to make referrals to specific agencies if a safeguarding concern is raised. The Safeguarding Policy, which gives information on safeguarding concerns, should be referred to if any colleague has concerns about a vulnerable adult or a child regardless of whether or not they are a customer.
- 5.20 We will ensure our colleagues are safe and if there are any concerns for colleagues' safety and/or welfare we will give them support and help them to manage the situation appropriately. We will take a zero-tolerance approach to abuse against colleagues and will take legal action where appropriate.
- 5.21 We aim to resolve all cases of ASB and will close a case when action has been taken which has resolved the ASB. However, we may have no option but to close cases in the following circumstances:
- When we have investigated the ASB case and have not been able to resolve the issue, but there are no more options available to Coastline;
  - When we believe there is no ASB happening, and the case needs to be closed;
  - When another agency is dealing with the case and no longer needs involvement by the Tenancy team;
  - When the complainant fails to help in providing evidence to Coastline, and we cannot take further action;
  - Where a person is acting in a frustrating and irritating manner, with malicious intent and/or unreasonable expectations. We will consider any additional action in line with the Acceptable Behaviour Policy and the Complaints Policy and/or Procedure.
- 5.22 We will explain to complainants the importance of the processes in dealing with ASB and that the ability to take legal action may be adversely affected if we are unable to disclose information. For example it may be necessary to disclose information to other relevant agencies but we would only do this if we have signed the relevant information sharing protocol with our partner agencies.
- 5.23 Section 115 of the Crime and Disorder Act 1998 allows Coastline and partner agencies to share information for the purpose of preventing and detecting crime and disorder. Information will be shared with other agencies, where there is a duty to do so, and/or where information- sharing protocols are in place.
- 5.24 We recognise that confidentiality is important to develop a relationship of trust with complainants and we ensure that any information given will be kept in the strictest confidence. However, safeguarding concerns may overrule any confidentiality protocols. Coastline has a separate Safeguarding Policy which details our approach to managing Safeguarding concerns.

- 5.25 We will not reveal the identity of any person unless permission is received to do so, however due to the nature of some complaints we cannot guarantee anonymity for complainants.

## **6.0 Monitoring, Review and Service Standards**

- 6.1 We are committed to monitoring and improving our performance in managing and resolving ASB. Monitoring will include:

- ASB cases successfully resolved;
- Number of mediation cases
- Urgent cases are responded to in 48 hrs;
- That correspondence is replied to in line with Coastline's Service Standards;
- Record the number of incidents of ASB reported to us and the type of ASB;
- Record the number of Notice Seeking Possessions served;
- Monitor the number of ASB cases resolved through early intervention;
- Monitor the number of tenancies brought to an end through legal proceedings for ASB; and
- Monitor and report customer satisfaction in accordance with the Consumer Standard Tenant Satisfaction Measures.

- 6.2 We will benchmark our service against other Registered Providers and aim to achieve top quartile performance for customer satisfaction with our service.

- 6.3 Reviewing performance indicators including – case reviews, case audits, caseloads of Tenancy Co-ordinators and ensure that discussions are held during one-to-one meetings to improve knowledge and performance.

- 6.4 We will review the complainant experience via surveys with those who have accessed the ASB service. We will identify any trends and make improvements where appropriate.

- 6.5 We will ensure effective implementation of this policy by publishing on the Coastline website and on our intranet. We will also undertake policy overview sessions are held for teams that will be responsible for implementing the policy and make sure these sessions are available for any new colleagues or refreshers. We will monitor performance and outcomes and work with our partners to continuously evolve and improve the service.

- 6.6 The effectiveness of this policy will be regularly monitored and will have a full review after 3 years unless business need, regulation or legislation prompts and early review.

- 6.7 Our approach to ASB will be publicised to customers, potential customers and colleagues in a number of ways:

- Pre-tenancy interview and sign up documents
- Customer Newsletters;
- Coastline's Website;
- Customer portal;
- Intranet;
- Policy documents;
- Training; and Social Media.

## **7.0 Linked Policies**

**7.1** Coastline also has other policies that work alongside this ASB policy, and we may refer to these for more specific information. The policies include:

- Good Neighbour Policy;
- Respect – ASB Charter for Housing;
- Safeguarding Adults and Children policies;
- Hate Crime Policy;
- Domestic Abuse Policy;
- Lettings & Allocations Policy;
- Probationary Policy;
- Equality, Diversity & Inclusion Policy;
- Mutual Exchange Policy;
- Complaints Policy;
- Tenancy Agreements;
- Pet Policy;
- Equality Act 2010;
- Housing Act 1996;
- Housing Act 1988;
- Anti-social Behaviour Act (2003);
- Criminal Justice Act 2003; and
- Anti-social Behaviour, Crime and Policing Act 2014.