

New

Revision



Customer Services and Operations

Anti-social Behaviour Policy Statement

Version 1.0

Directorate:	Customer Services and Operations
Policy Statement Owner:	Director of Resident Services
Policy Risk Rating:	A
Date Published:	November 2017 (April 2019 update)
Next Review Date:	November 2020
Policy signed off by:	Operations Management Team (OMT)
Policy and Compliance Business Partner:	Karen Birch – Policy & Compliance Advisor
Regulatory Code/Legislation and National Standards	See Section 4
Publicising the Policy Statement	<p>This policy statement and all associated procedures and other documents will be publicised on the Anti-social Behaviour Toolkit page.</p> <p>Any changes to this policy statement will be notified to our staff and other relevant stakeholders using a variety of communication tools including:</p> <ul style="list-style-type: none">• Noticeboard item;• Manager and team briefings; and• Specialist training for relevant staff

Anti-social Behaviour Policy Statement

1 Policy Statement Scope

- 1.1 The Anti-social Behaviour (ASB) Policy Statement sets out the Hyde Group's approach to tackling ASB, through prevention, enforcement and support.
- 1.2 It applies to all general needs, affordable rent, sheltered and supported housing tenants living in properties managed and owned by the Hyde Group. It also applies to licensees, leaseholders, shared ownership, intermediate market rent, private market rent and commercial premises.
- 1.3 This policy will apply when we receive reports from a freeholder or non-service user about any of the residents or service users above. However, it will not apply to reports received about residents or service users with no relationship to Hyde.
- 1.4 This is a high level policy statement and should be read in conjunction with the associated ASB policy guidance documents and ASB procedures.

2 Policy Key Objectives

- 2.1 By publishing this policy statement, the Hyde Group aims to ensure compliance with the policy key objectives. The policy key objectives set-out what is to be achieved by implementing the policy.
- 2.2 All staff and managers are responsible for ensuring compliance with the policy key objectives.

No.	ASB Policy Statement Key Objectives
1.	Ensure compliance with our statutory and regulatory obligations
2.	Tackle the causes of ASB and prevent incidents of ASB arising
3.	Prevent incidents of ASB from escalating where they do arise
4.	Take the necessary management intervention and legal action to deal with perpetrators of ASB
5.	Provide residents and service users with appropriate advice and support
6.	Work in partnership with the Police, local authorities and other specialist agencies where appropriate
7.	Support staff to tackle ASB

3 Policy Statement

- 3.1 The Hyde Group is committed to tackling ASB in a responsive and robust manner. We recognise that if allowed to persist, ASB can significantly affect quality of life for our residents and service users and that dissatisfaction with the living environment may have a negative impact on the way we are able to manage our homes.
- 3.2 We recognise that ASB can include a range of activities and is a problem which has many causes. It requires a wide range of responses to tackle it effectively. We will balance enforcement action and intervention with programmes which aim to prevent ASB.

- 3.3 All residents will be expected to show consideration to their neighbours by complying with the terms of their occupancy agreement and not to commit, or allow their household members, visitors or pets to commit acts of ASB. This includes harassment, annoyance or disturbance to other residents, their visitors or other people in the area, such as our staff and contractors whether unintentional, deliberate or personally motivated.
- 3.4 We aim to deal with ASB in a proportionate and appropriate manner. Our approach will include engaging with complainants and alleged perpetrators, providing support and/or taking enforcement action.
- 3.5 We will take a customer focussed approach to tackling ASB, working with the complainant and the alleged perpetrator, aiming to reach agreed actions, timescales and ultimately closure. Except in very serious cases, our initial intervention will aim to stop the problem behaviour. We recognise that early intervention is important to stop cases escalating.
- 3.6 We will consider legal action where there is sufficient evidence. Eviction will only be considered where other interventions have failed and will be used as a last resort. Eviction will also be used in very serious cases where it is needed to provide protection.
- 3.7 We will work with partner agencies to tackle the causes and effects of ASB, using a consistent and clear approach. Where necessary, we will use a multi- agency approach in dealing with ASB by sharing knowledge and expertise, including feedback to assess the effectiveness of the interventions used.
- 3.8 We will not tolerate abuse against staff or contractors, whether physical or verbal. We will take appropriate action against customers and members of the public who are abusive, as set out in this policy and associated policy guidance documents and procedures.
- 3.9 We are committed to ensuring the safety of our staff. We will provide support which may include appropriate training to help staff to be confident and knowledgeable to identify and investigate ASB reports and to cope with difficult and challenging situations and to keep staff up-to-date with current best practice and legislation, including awareness of child protection and protection of adults from abuse.

4 ASB Definitions

- 4.1 The term 'anti-social behaviour' covers a wide range of unacceptable activities that have a negative effect on the quality of community life and the private lives of people within those communities.
- 4.2 We use the following definition of ASB, as stated in the Anti-Social Behaviour, Crime and 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 nuisance or annoyance to any person.
- 4.3 People to whom the conduct may cause nuisance or annoyance includes:
 - Anyone who has a right to live in property that Hyde owns or manages;
 - Those living in any other property in the neighbourhood; and

- Anyone else lawfully in such a property or in the locality e.g. working nearby, visiting the property or neighbourhood etc.

5 Regulatory Code and Legal Framework

- 5.1 This policy statement and associated policy guidance documents and procedures comply with the Housing & Communities Agency's Neighbourhood and Community Standard for ASB.
- 5.2 The most important legislation and case law that currently govern registered provider policy and practice are:

Anti -Social Behaviour, Crime and Policing Act 2014	Race Relations Act 1976 and Amendment Act 2000
Equality Act 2010	Housing Act 1985,1988,1996, 2004
Antisocial Behaviour Act 2003	Human Rights Act 1998
Police and Justice Act 2004	Mental Health Act 1983, 2007
Crime and Disorder Act 1998	Noise Act 1996
Criminal Justice and Public Order Act 1994	Noise and Statutory Nuisance Act 1993
Dangerous Dogs Act 1989, 1991	Protection From Harassment Act 1997
Data Protection Act 1998	Homelessness Act 2002
Environmental Protection Act 1990	Health Act 2006
Immigration Act 2016	

6 ASB or not ASB?

- 6.1 The Hyde Group believes that everyone has the right to live the way they want as long as it does not unlawfully spoil the quality of life of others. This means being tolerant, accepting and respecting the needs and choices of other people.
- 6.2 Hyde will apply a reasonable approach to all reports of suspected ASB and will intervene only where it is in the best interests of Hyde residents to do so. Consideration will be given to the harm or likely harm caused to individuals.
- 6.3 Not all reports relating to behaviour that impacts on an individual can be deemed anti-social behaviour. It is important to show tolerance and be respectful of differing lifestyles and circumstances.
- 6.4 The following are some examples of reports that are not included in this policy definition of anti-social behaviour:
- Noise from children when they're playing
 - Family disputes
 - Babies crying

- Smells from cooking
- Sounds of normal day to day living that we can hear such as opening and closing of doors, going up and down stairs
- One-off parties such as BBQs, birthday or Christmas parties providing they don't cause an unacceptable disturbance
- Clashes of lifestyle, including cultural differences
- Minor personal differences such as dirty looks or fall outs between children
- Putting rubbish out on the wrong day
- Parking in the wrong bay

6.5 We will work to manage resident expectations regarding behaviour that is not defined as ASB by offering advice and guidance and where appropriate will expect residents to resolve the issues themselves.

7 Associated Policy Guidance Documents and Procedures

Policy Guidance Documents	Procedures
ASB Policy Guidance	Absolute Ground for Possession Procedure
Starter Tenancies Policy Guidance	Starter Tenancies Procedure
Preventing Tenancy Failure Policy Statement	Preventing Tenancy Failure Procedure
	Eviction Procedure

8 Diversity and Inclusion

- 8.1 The Hyde Group will treat all customers with fairness and respect. We recognise that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.
- 8.2 This document and any related leaflet may be translated or interpreted, or provided in accessible formats as necessary. Further information can be found in our [Communicating in Accessible Formats Policy Statement and User Guide](#).
- 8.3 Diversity and inclusion training is mandatory for all staff.

9 Monitoring, Review & Evaluation

- 9.1 We monitor performance indicators at group, directorate and local team levels.
- 9.2 Risk A policy statements and procedures will be subject to an annual health check. The review will ensure that all operational, strategic and regulatory changes are compliant and that the procedures are reflective of the Landlord Services on offer.

Version History

Version no.	1.0	Effective date:	November 2017
Full/partial review/new policy		New policy statement	
Brief summary of changes		N/a	

Staff consultation:(teams):	Resident Services
Resident consultation Y/N	HRV Policy sub-group
Signed-off by:	OMT
Date Published:	November 2017
Policy Statement Author	Karen Birch – Policy & Compliance Advisor