ANTI-SOCIAL BEHAVIOUR POLICY

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Executive Summary:
This policy outlines our approach to handling anti-social behaviour (ASB). It explains how we will work with our community, stakeholders, and partners to address ASB, recognizing that it is a collective responsibility. RBH Customers have helped to shape and influence this Policy through customer voice and consultation sessions. Our goal is to foster a community where everyone works together to tackle ASB and improve the quality of life for all.

Policy Grouping / Directorate	Customer & Community	
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EIA Completed	Yes ☒	No ☐
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Notes:		

1 Introduction and Aims

1.1 This policy details our approach to handling ASB reports, ensuring that those reporting ASB are assessed for risk and provided with appropriate support. It applies to all RBH colleagues and customers.

1.2 It describes how we will use prevention and early intervention to address ASB and support those causing it. If early actions fail, we will use formal tools to mitigate significant risks.

1.3 This policy applies to all RBH colleagues managing ASB and serves as a guide for customers. It supports our mission to provide quality homes and services and create safer communities, as set out in our Corporate Strategy 2025- 2028.

1.4 ASB will not be tolerated, and we expect our customers to act reasonably and be respectful of different cultures, lifestyles and values.

1.5 We will adopt a victim-centred approach to managing anti-social behaviour. We will consider the impact that anti-social behaviour is having on victims, witnesses, and communities and will tailor our response according to the level of risk, harm and vulnerability identified.

1.6 The aims of the policy are:

- To define what we mean by ASB and what customers can reasonably expect from us.
- To set out the way in which we will use our tools and powers when managing and responding to reports of ASB.
- To encourage our customers, where possible and safe to do so, to try to resolve their disputes themselves without the need for RBH to be involved as this can often create unnecessary conflict.
- To assess risk, vulnerability, support needs and safeguarding concerns throughout the life of every ASB case.
- To ensure relevant colleagues are trained and equipped to respond quickly and effectively to reports of ASB, and to prevent reports escalating into more serious incidents.
- To provide a victim-centred service that recognises the impact of anti-social behaviour on individuals and communities.
- To ensure that information is treated confidentially.
- To promote fair and equal treatment for everyone.
- To work with partner agencies to tackle the underlying causes of anti-social behaviour.
- To use our professional judgement as to whether reports of ASB can be realistically investigated and resolved so we can provide clear responses to our customers.
- To only take action that is reasonable and proportionate and be clear with customers on the range of interventions and solutions available.
- To work collaboratively with partners and stakeholders to address the issues associated with ASB and Community safety

2 Context

2.1 This Policy complies with Section 218A of the Housing Act 1996 and supports compliance with the Anti-Social Behaviour, Crime and Policing Act 2014, Equality Act 2010, Domestic Abuse Act 2021, Human Rights Act 1998 and Data Protection Act 2018.

This Policy also provides a framework to ensure RBH meets the requirements of the Regulator of Social Housing Consumer Standards, including the Neighbourhood and Community Standard.

2.2 **Consumer Standards**

Neighbourhood & Community Standard

- Safety of shared spaces
- Local co-operation
- Work in partnership to tackle ASB and hate Incidents
- Work co-operatively to tackle domestic abuse

2.3 In delivering this Policy we will also have regard to relevant guidance issued by the Housing Ombudsman, the Regulator of Social Housing and Government guidance relating to anti-social behaviour and community safety.

3 Values

3.1 The policy fits with the mutual values of RBH:

3.2 Putting People First: Customers can report ASB in a variety of ways. RBH will always respond quickly to reports and treat them seriously

3.3 Doing What We Say: We have clear guidance for our colleagues who deal with reports of ASB, and we regularly check that these processes are being followed

3.4 Working As One: We have strong working relationships with our partners and are striving to build even stronger relationships with our customers

3.5 Delivering Quality: We train all relevant colleagues in ASB case handling and have effective quality assurance frameworks in place to ensure good, quality services are being delivered

3.6 Open & Transparent: We always ask our customers for feedback and review the comments and suggestions they make to help further improve our service delivery

4 Policy Statement

4.1 **Definitions**

This Policy adopts the definition of anti-social behaviour contained within the Anti-Social Behaviour, Crime and Policing Act 2014:

- 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.
- Conduct capable of causing housing-related nuisance or annoyance to any person.

RBH will also rely upon the nuisance and annoyance clauses contained within tenancy agreements, leases and occupancy agreements where appropriate.

Our customers are responsible for:

- their own behaviour.
- the behaviour of any other person living in the tenancy.
- the behaviour of any person visiting the tenancy.

4.2 ASB can vary widely and is assessed based on what most reasonable people consider unacceptable, such as:

- Hate-related incidents (where the behaviour is motivated by hostility and prejudice based on race, ethnicity, nationality, sexual orientation, gender, disability, religion, or age).
- Domestic abuse and violence, including coercive and controlling behaviour.
- Violence or threats of violence against people or property.
- Serious vandalism and damage to property.
- Repeated verbal abuse, harassment, intimidation or threatening behaviour.
- Extreme and excessive noise.
- Persistent pet and animal nuisance.
- Fly tipping.
- Offensive graffiti.
- Drug dealing and associated activity.
- Cuckooing.
- Sexual harassment.
- Persistent vehicle nuisance.
- Deliberate fire setting.
- Online harassment where it affects a customer's occupation of their home or wellbeing.
- Deliberate misuse of communal area

4.3 Low level disagreements between neighbours where there is no breach of tenancy will generally not be considered as ASB cases. However, we may offer mediation and other support to help customers deal with these issues themselves.

4.4 We recognise that sometimes customers will report certain types of behaviour as anti-social, but following robust assessment, we may conclude that the reported behaviour is not antisocial.

4.5 We will assess all reported incidents individually. The following behaviours would not normally be considered anti-social behaviour unless there is evidence of persistent behaviour, significant impact, tenancy breach or risk of harm:

- Babies crying
- Children playing outside
- Children arguing
- Arguments with neighbours and friends
- Low risk disagreements which neighbours should reasonably be able to resolve themselves
- Reasonable actions that are considered to be part of everyday activities
- Reasonable household noise such as closing doors, going up and down stairs, people talking, or people walking around their home
- Name calling and social media disputes unless it is deemed to be harassment
- Unpleasant smells
- DIY activities at reasonable times
- Isolated and short incidents of dog barking
- Cats roaming in gardens
- Disputes about parking

4.6 We will use professional judgment to assess reports and may refer parties to mediation or provide conflict resolution advice.

4.7 **Criminal Activity**

4.7.1 In cases where illegal activity, including drug use, are reported the reporter will be advised to report directly to the police or to Crimestoppers.

4.7.2 RBH is not a law enforcement agency and cannot investigate or prosecute criminal offences. However, we may work alongside the Police and other agencies, gather information relevant to tenancy enforcement and take housing management action where appropriate.

4.7.3 In relation to other types of criminal activity, we at RBH will work with the police as the lead agency. In the event of a successful prosecution, RBH may consider our own legal action. This will be decided on a case-by-case basis.

4.8 **Noise Related Reports**

4.8.1 Noise reports will be assessed individually to determine the nature, frequency, severity and impact of the reported behaviour.

4.8.2 All noise reports will be assessed to determine if they meet the ASB threshold. This will establish the cause and source of the noise, the persistence of the noise and the volume of the noise.

4.8.3 If the noise related activity does not meet the threshold of ASB, the noise related report will be dealt with through our neighbourhood and tenancy management processes, and not our ASB process.

4.8.4 This approach is in line with the Housing Ombudsman's recommendations in the Spotlight report of October 2022.

4.8.5 Where appropriate we may ask customers to complete diary sheets, use approved recording methods, provide witness information or work jointly with Environmental Health and other agencies to investigate reported noise nuisance.

4.9 **Hate Crime**

4.9.1 RBH recognises the serious impact of hate-related behaviour and will treat all reports of hate crime and hate incidents as high priority.

4.9.2 We encourage customers to report hate crimes to the Police and will support customers to do so. We will work with relevant partner agencies and consider appropriate tenancy enforcement action where reasonable and proportionate

4.9.3 We will provide additional support to victims were required and ensure risk assessments are completed and reviewed throughout the case.

4.10 **Prioritisation**

4.10.1 RBH will assess the priority of the report based on the risk to the customer and the community. We will prioritise cases as follows:

4.10.2 **Emergency-**Situations involving immediate danger, serious violence, threats involving weapons or significant safeguarding concerns. Customers should contact the emergency services immediately where appropriate.

4.10.3 **High priority-** Serious threats, hate incidents, domestic abuse, violence, serious harassment or significant property damage. RBH response within one working day.

4.10.4 **Standard –** Persistent nuisance, noise nuisance, verbal abuse, harassment, intimidation and other forms of anti-social behaviour where there is no immediate risk. RBH response within five working days.

4.10.5 Priority levels may change during the life of a case following further assessment or changes in risk.

4.11 **Customer Responsibilities**

4.11.1 We expect our customers to take responsibility for their own behaviours and actions. In situations where there is a dispute or disagreement between neighbours, we expect customers to try and resolve things themselves, unless there is a serious risk of harm, violence or abuse.

4.11.2 We will offer advice on how they might approach their neighbour to resolve the conflict or suggest a referral to mediation. We will engage with our customers and encourage them to take responsibility for minor personal disputes with their neighbours.

4.12 **Our Approach**

4.12.1 Prevention and Early Action

We will deal with each case on its own merits and look at early intervention or prevention remedies first, where safe to do so. This may include:

- conflict resolution
- mediation
- restorative solutions
- written agreements
- accessing diversionary activities or support

4.12.2 All parties involved will be encouraged to engage and participate to stop incidents from escalating.

4.13 **Formal Actions**

4.13.1 Depending upon the circumstances of the case, RBH may use a range of legal and non-legal remedies including:

- Warning letters.
- Acceptable Behaviour Agreements.
- Injunctions.
- Possession proceedings.
- Closure Orders (through partner agencies).
- Community Protection Notices.
- Civil legal remedies available to housing providers.
- Other tenancy enforcement measures where appropriate.

4.13.2 We will only take enforcement action if it is reasonable and proportionate to do so. Sometimes it may be more appropriate for a partner agency to use their powers. This will be decided on a case-by-case basis.

4.13.3 If court action is required, we will support throughout the court process and beyond.

4.13.4 There may be some cases reported to us where we are unable to act. In such cases, the reasons for this will be explained clearly, and we will always try to signpost to other agencies where this may be relevant.

4.13.5 We will not tolerate abuse towards our colleagues, or our contractors or anyone else providing services on our behalf. This includes threats of violence, verbal abuse and intimidation, harassment and actual violence. In such situations RBH will always take appropriate action.

4.14 **Cross Tenure Issues**

We collaborate with other providers, the police, and local authorities to address community safety issues. If an RBH customer is experiencing ASB from a Non

RBH private address or an owner occupier, they should still report the problem to us and we will support our customer in reaching a resolution

4.15 **Partnership Working**

Multi-agency collaboration is essential for tackling ASB. We work in partnership with Greater Manchester Police (GMP) and other agencies to ensure that the best possible individual and family support is developed, delivered and evaluated. We work with a broad range of agencies offering specialist support according to need. We are also represented on relevant strategic groups to play an active role in tackling ASB and criminality.

4.16 **Managing Risk**

4.16.1 We will complete a risk assessment at the beginning of every ASB case and regularly review this assessment throughout the life of the case.

We will consider:

- The impact of the behaviour.
- Vulnerability and support needs.
- Repeat victimisation.
- Safeguarding concerns.
- Risks to the wider community.

4.16.2 Where appropriate we may refer cases to multi-agency risk management arrangements including ASBRAC or other partnership forums.

4.17 **Safeguarding**

4.17.1 Our Safeguarding Policy ensures that all our colleagues are trained to identify and prevent safeguarding issues and understands the different aspects of safeguarding that they have a duty to report.

4.17.2 We will make safeguarding referrals where appropriate and work collaboratively with statutory agencies where concerns are identified relating to either children or adults at risk.

4.18 **Vulnerabilities and Support needs**

4.18.1 If the reporter or the person allegedly causing the ASB has any support needs, or vulnerabilities, these will be discussed in a sensitive manner. We will make reasonable adjustments where required, provide interpretation and translation services, consider communication preferences and where appropriate signpost customers to specialist support services. Victims and witnesses will receive support throughout the duration of their case.

4.19 **Publicity**

Where appropriate, we will publicise work carried out by RBH and its partners to improve community confidence and to set expectations of behaviour.

A range of advisory guidance and ways to report or request services for ASB can be found on our website.

4.20 **Data Protection and Information Exchange**

Where required we will share information with partners in accordance with the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018

and other relevant legislation. Information will only be shared where lawful, necessary and proportionate to prevent crime, reduce anti-social behaviour, protect individuals or fulfil our housing management responsibilities.

4.21 **Training our Colleagues**

We will ensure that relevant colleagues are able to access appropriate training as well as updates on relevant legislation and changes in national policy. We are committed to continuous personal development and training and will access both internal and external training appropriately

4.22 **Complaints**

Any party involved in an ASB case can make a complaint directly to RBH if they are not satisfied about how their case has been handled. When a complaint of this type is made RBH will follow the process set out in our complaints policy and process.

4.23 **ASB Case Review**

4.23.1 The Anti-social Behaviour, Crime and Policing Act 2014 introduced specific measures designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with.

4.23.2 The Anti-Social Behaviour Case Review (previously known as the Community Trigger) enables victims of persistent anti-social behaviour to request a review of how agencies have responded to their reports. The process is administered by Rochdale Borough Council and eligibility criteria are determined by the local authority.

5 Monitoring

5.1 We will monitor and learn from the feedback we receive about how we manage and respond to cases of ASB to ensure a high standard of our services. Individual cases will be closely supervised and managed on a regular basis.

6 Review

6.1 All RBH strategies, policies, service standards and procedures are reviewed on a regular basis to ensure that they are 'fit for purpose' and comply with all relevant legislation and statutory regulations.

6.2 This policy will go through the full policy approval process every three years and will undergo a desktop review annually. This is to ensure that it is fit for purpose and complies with all relevant and statutory regulations.

7 Links with Other RBH Documents

7.1 This policy links to the following policies and strategies:

- ASB guidance notes for colleagues
- Domestic Abuse Policy
- Safeguarding Policy
- Lettings Policy

- Complaints Policy

External Documents:

- Regulator for Social Housing Neighbourhood and community Standard
- Regulator for social housing Tenant Satisfaction Measures Standard April 2023
- Housing Ombudsman Spotlight Report regarding Noise October 2022

Legislation:

- Anti-social Behaviour, Crime and Policing Act 2014
- Equality Act 2010
- Housing Acts 1985, 1988 ,1996 and 2004
- Anti-social Behaviour Act 2003
- Crime and Disorder Act 1998
- Data Protection Act 2018
- Protection from Harassment Act 1997
- Policing and Crime Act 2009
- Police Reform and Social Responsibility Act 2011
- Criminal Justice Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- The Human Rights Act 1998
- Domestic Abuse Act 2021

8 Inclusivity statement

8.1 We are dedicated to fostering an inclusive and equitable environment for all. We ensure that everyone is valued and respected. Our policies aim to be inclusive, and will comply with UK laws, including the Equality Act 2010, to create a diverse and supportive environment for people to thrive.

8.2 We understand not everyone absorbs information the same way. If you have any difficulty understanding or interpreting this document please email people@rbh.org.uk or call Freephone 0800 027 7769. We will work with you to ensure your individual needs are met.