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shaped around you

# Antisocial Behaviour Policy

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A charitable community benefit society registered in England and Wales number 16317R.  
Also regulated by the Regulator of Social Housing number L1003



## 1. Introduction

This Policy details our approach and commitment to tackling anti-social behaviour (ASB) in order to provide safe, secure and clean neighbourhoods and to create sustainable communities. Alpha Living recognises that everyone has a right to enjoy their own lifestyle but only when it does not interfere with the rights and quality of life of other residents.

Alpha Living acknowledges that ASB can have a detrimental effect that can seriously affect the lives of individuals and communities. It is also recognised that what is perceived as 'low level' anti-social behaviour, when targeted and persistent, can have devastating effects on a victim's life. We are therefore committed to treating all reports of ASB seriously and will take timely, effective and consistent action to tackle all forms of ASB at the earliest opportunity.

We also recognise that not everything can be deemed to be ASB despite it being perceived as such. In these circumstances we would encourage residents to resolve their disputes amicably by communicating with each other to reach a mutually agreed resolution.

## 2. Scope

This policy applies to all our residents and colleagues.

## 3. Policy Objectives

The key objectives of this policy are to:

- understand and define what ASB is;
- detail the legal and regulatory framework that provides us with the tools to respond to ASB and with which we are required to comply;
- outline our approach and commitment to dealing with ASB effectively and efficiently;
- monitor performance to assess the quality and effectiveness of service.

## 4. Legal and Regulatory Framework

The Regulator of Social Housing Regulatory Framework, specifically the Neighbourhood and Community Standard, states:

*“Registered providers shall publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties.*

*In their work to prevent and address ASB, registered providers shall demonstrate:*

- a) that tenants are made aware of their responsibilities and rights in relation to ASB*
- b) strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies*

- c) *a strong focus exists on preventative measures tailored towards the needs of tenants and their families*
- d) *prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available*
- e) *all tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not*
- f) *provision of support to victims and witnesses*

## 5. Definition of ASB

There is currently no single definition of ASB which is commonly used nationally. However, the Anti-Social Behaviour, Crime and Policing Act 2014, which is the most recent legislation for ASB, introduced a series of different definitions for different purposes.

These definitions are:

- 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; and
- conduct capable of causing housing-related nuisance or annoyance ("housing-related" means directly or indirectly relating to the housing management functions).

'Anti-social behaviour' is the broad term used to describe a range of nuisances, disorder and crime that affect people's lives. It covers many types of behaviour that vary in nature and severity, many of which are open to interpretation.

Issues that *could* constitute as ASB are listed below, however this list is not exhaustive.

- Noise nuisance
- Verbal abuse/ harassment/ intimidation/ threatening behaviour
- Hate related incidents (based on race, sexual orientation, gender, disability, religion, age, etc.)
- Littering or fly-tipping
- Vandalism/ graffiti/ other deliberate damage to property or vehicles
- Using or dealing drugs/ substance misuse
- Alcohol related
- Domestic abuse
- Physical violence
- Misuse of communal areas
- Garden nuisance
- Nuisance from vehicles
- Pets and animal nuisance
- Criminal behaviour

## **6. Multi-Agency Partnership Working**

Alpha Living recognises that the responsibility for tackling ASB is not the sole responsibility of one agency, although the role of Alpha Living could be critical. Successful and effective management and prevention of ASB depends on the freedom to exchange information between different organisations and the willingness to tackle issues in partnership and in line with GDPR guidelines.

We will participate appropriately in local area partnerships and protocols with a view to addressing issues at a local level.

## **7. Community Triggers**

The ASB, Crime and Policing Act 2014 introduced the “Community Trigger”. This allows members of the community to ask for a review of the responses to their reports of ASB.

Any concerns raised through the Community Trigger will be dealt with in line with the local authority procedure for that area. Guidance as defined in the Anti-Social Behaviour Crime and Policing Act 2014.

## **8. Information Sharing and Confidentiality**

Any information provided to us in respect of ASB will be treated in the strictest confidence and will not be used or shared for any other purpose without the consent of the person who has provided it. However, there are certain circumstances where these principles might not apply, for example in cases of Safeguarding.

## **9. How we will Respond to Reports of ASB**

We will provide complainants with a named Officer.

We will:

- respond to high-risk incidents of ASB within 1 working day; and
- respond to all other reports of ASB within 5 working days

As part of the initial assessment, we will establish if the complainant(s) are a repeat victim of ASB and consider this in any response. We will also review any potential vulnerability and the risk of harm to the complainant. Further risk assessments will then be completed throughout the case.

An initial action plan will be agreed with complainants, and referrals and signposting to support agencies will always be considered and completed where available and appropriate.

We will also:

- work in partnership with the Police, Local Authorities and other partner agencies to respond effectively to reports of ASB;
- provide a supportive and safe environment to both victims and witnesses to encourage reporting of ASB and make reporting accessible and easy;

- treat people fairly and sensitively during our investigations and base our response on the evidence available;
- ensure any information provided to us in respect of an ASB complaint is treated in the strictest confidence, for example from witnesses and via court action (however it should be noted that in certain circumstances this principle may not apply, for example in cases of child protection);
- assess the vulnerability of residents (complainants and respondents) and offer assistance if appropriate and available
- enforce tenancy conditions, using effective case management interventions and a balance of prevention and support measures to include legal and non-legal remedies;
- encourage residents to resolve their disputes amicably by communicating with each other and offer mediation where appropriate;
- be realistic with the response that we are able to offer;
- publicise our successes to raise awareness of our work and to encourage further reporting of ASB;
- monitor our performance to assess the quality of our service and compliance with this policy; and
- ensure residents are made aware of the terms and conditions of their tenancy agreement and of their responsibilities in relation to ASB.

## 10. Legislation

The policy has been written with reference to relevant legislation and guidance, including:

- Anti-social Behaviour, Crime and Policing Act 2014
- The Regulator of Social Housing Regulatory Framework, specifically the Neighbourhood and Community Standard
- Anti-Social Behaviour Act 2003
- Anti-Social Behaviour Crime and Policing Act 2014
- Anti-terrorism Crime and Security Act 2001
- Data Protection Act 2018
- Domestic Violence Crime and Victims Act 2004
- Equality Act 2010
- Housing Acts 1985, 1988 and 1996
- Human Rights Act 1998
- Police Reform Act 2002
- Protection from Harassment Act 1997
- Respect Standard 2007
- The Crime and Disorder Act 1998
- Family Law Act 1996
- Homelessness Act 2002
- The Children Act 2004
- Care Act 2014

## 11. Responsibility

We will ensure this policy is successful, with colleagues having individual and collective responsibility to implement the policy.

## **12. Consultation**

The following consultation will be carried out in the formation of this policy.

- Senior Leadership Team
- Resident Policy Review Group
- All colleagues responsible for the welfare of our residents

## **13. Equality, diversity, and inclusion**

Alpha Living believes that all people should be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including, nationality, ethnic or national origins), religion, belief or non-belief, sex, or sexuality or by association with someone with any of these characteristics or perception of having any of these characteristics and is committed to promoting diverse and happy neighbourhoods. All reasonable assistance and adjustments will be provided.

We will apply this policy consistently and fairly and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equality Act 2010. An Equality Impact Assessment has been undertaken to ensure issues of diversity and inclusion have been taken into consideration when making decisions.

## **14. Monitoring, review, and evaluation**

Incidents of reported cases will be reviewed by the Head of Housing to ensure appropriate actions have been taken.

This policy will be reviewed every two years with any changes approved through our governance process, as necessary. The review will take account of:

- changes to statutory/regulatory guidance and developing good practice
- any learning identified because of case reviews