



# **Anti-Social Behaviour Policy**

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## **1. Introduction**

- 1.1 The reporting of anti-social behaviour (ASB) incidents is managed separately to the Complaints and Service Recovery procedures.
- 1.2 LRHA recognises the devastating effect that ASB can have on individuals and communities. The proper handling of ASB is one of our top priorities and this policy has been prepared following consultation with our residents.

## **2. The aims of this Policy are to ensure that:**

- 2.1 Provide the framework to ensure that residents are able to go about their daily life without being victims of ASB.
- 2.2 Work towards preventing ASB before it starts, where possible, and identifying areas of repeated incidents upon which to allocate resources
- 2.3 Establish close working relationships with our residents, local authorities and other partner agencies to combat occurrences of ASB.
- 2.4 To place focus on tenancy sustainment by taking early positive action to engage with the resident and deploying legal action as a last resort.
- 2.5 To consider the support and needs of all parties involved in any one case of ASB, victims, witnesses, and perpetrators alike.
- 2.6 To collect, record and report upon all relevant data on ASB.
- 2.7 To ensure that our residents know about our services in relation to ASB and how to access them.
- 2.8 To consider the occurrences of ASB on LRHA developments, to identify proactive actions that can be taken to prevent or reduce the circumstances that could lead to ASB in co-operation with any potential collaborating partner agencies.

## **3. Policy Statement**

- 3.1 LRHA is committed to tackling ASB promptly, firmly and fairly to ensure that residents can enjoy their homes and the surrounding environment.

## **4. Definition of Anti-Social Behaviour**

- 4.1 A legal definition of ASB is found in The Crime and Disorder Act 1998 which describes ASB as: *“Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as themselves”*.

4.2 The Anti-Social Behaviour Crime and Policing Act 2014 expanded on this as follows:

4.2.1 *“Conduct that has caused, or is likely to cause harassment, alarm, or distress to any person.*

4.2.2 *Conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises; or*

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

## **5. Definition of Hate Crime**

5.1 Hate crime is defined as ‘any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic’. The five monitored strands are:

5.1.1 Race.

5.1.2 Religion/faith.

5.1.3 Sexual orientation.

5.1.4 Disability.

5.1.5 Gender-identity.

## **6. Categorising of Anti-Social Behaviour**

6.1 LRHA has adopted the Housemark categorisation of ASB to enable effective benchmarking with other associations. We will take action against any behaviour that falls within the categories listed below:

- (a) Hate-related incidents.
- (b) Physical violence (excluding domestic abuse).
- (c) Domestic abuse.
- (d) Verbal abuse / harassment / intimidation / threatening behaviour.
- (e) Noise nuisance.
- (f) Drugs / substance misuse / drug dealing.
- (g) Alcohol related.
- (h) Misuse of communal areas / public space or loitering.
- (i) Litter / rubbish / fly tipping.
- (j) Vandalism and damage to property.
- (k) Garden nuisance.
- (l) Nuisance from vehicles.
- (m) Prostitution.

6.2 The following issues will not be investigated:

- (a) Issues perceived to arise due to people’s differing lifestyles that are not intended to cause nuisance or annoyance.
- (b) Actions which amount to people being unpleasant to each other or people staring with no other associated ASB but are not sufficiently serious considering the likely harm caused to justify our involvement.
- (c) Cooking Smells.
- (d) Spreading rumours.

- (e) Children playing in their homes or in the locality of their home or designated playing area (including ball games).
- (f) One off party.
- (g) Parking disputes.
- (h) Social media disputes.
- (i) Incidents that are believed to be vexatious where there is a history or pattern of allegations unsupported by evidence by the complainant.

6.3 An explanation will be provided to all new residents under the terms of their tenancy and or lease agreement so that our expectations are clear.

6.4 There are a range of options to report ASB: in person, by phone, letter, or email, or through an advocate acting on the resident's behalf.

## **7. Action Plans and Management Tools**

7.1 LRHA will work with victims and witnesses involved in a case to devise an action plan that is agreeable to all and designed to fit the type and severity of the ASB occurring. If the ASB severity or type is a criminal matter or it would be unsafe for our staff to manage then referral will be made to the relevant partner agency.

7.2 The key management tools available to LRHA staff are defined below:

- (a) Mediation.
- (b) Acceptable Behaviour Contract (ABC).
- (c) Support and counselling.
- (d) Development management procedures.
- (e) Additional security measures.
- (f) Legal action against tenancy (including demotion of a tenancy).

7.3 When an incident of ASB is reported, LRHA will:

- (a) Record all ASB information received.
- (b) Respect your right to confidentiality.
- (c) Provide advice, support and agree an action plan with you.
- (d) Facilitate any mediation between parties.
- (e) The Resident Engagement Manager or Assistant will manage the issue through to resolution.
- (f) Ensure that the Resident Engagement Manager or Assistant keeps you updated as required or at least once every two weeks unless agreed otherwise.
- (g) Work with other agencies, such as the police and social services, to resolve your case.
- (h) Offer appropriate support and protection to witnesses, victims and perpetrators.
- (i) Carry out regular inspections on all properties to prevent illegal occupation and other ASB issues occurring.
- (j) Commence action within the following specified timescales for ASB classifications:
  - Severe (immediate action).
  - Urgent (within 24 hours).
  - Moderate (within five working days).
  - Minor (within 10 working days).

## **8. Referrals to other Agencies**

8.1 The effective management and prevention of ASB depends upon good communication between partners such as the police, local authorities and other registered providers. The information provided to partner agencies will always comply with the relevant data protection and equality legislation.

## **9. Legislation, Statutory Regulatory Duties & References**

9.1 This policy is in accordance with the Consumer Standards Code of Practice April 2024 and relevant to the Neighbourhood and Community Standard required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2, 2.2.3 and 2.2.5.

- 1.3.1 Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents in the neighbourhoods where they provide social housing.
- 2.2.1 Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.
- 2.2.2 Registered providers must clearly set out their approach for how they deter and tackle hate incidents in neighbourhoods where they provide social housing.
- 2.2.3 Registered providers must enable ASB and hate incidents to be reported easily and keep tenants informed about the progress of their case.
- 2.2.5 Registered providers must support tenants who are affected by ASB and hate incidents, including by signposting them to agencies who can give them appropriate support and assistance.

## **10. Equality and Diversity Implications**

10.1 LRHA are committed to fairness and equality for all regardless of their colour, race, ethnicity, nationality, gender, sexual orientation, marital status, disability, age, religion or belief, family circumstances or offending history. Our aim is to ensure that our policies and procedures do not create an unfair disadvantage for anyone, either directly or indirectly.

10.2 LRHA respects and values the differences of our residents, partners, and staff and LRHA will treat everyone LRHA work with fairly, and with respect. This policy has been considered in light of LRHA's equality and diversity policy and is compliant with its principles.

10.3 LRHA will comply with the Equality Act 2010 and will adapt our process or make reasonable adjustments to accommodate an individual's needs wherever possible and reasonable.

## 11. Reporting

11.1 The initial reporting and management of any ASB cases will be completed by the Resident Engagement Manager or Assistant.

11.2 A monthly review of all active ASB cases will be completed with the Head of Operations. This will be reported to the Management Team at periodic meetings.

## 12. Monitoring and Review

12.1 This policy will be reviewed every 3 years and in the event of changes to our regulatory environment.

## 13. Associated Documents/ Policies

13.1 This policy should be read in conjunction with:

13.1.1 Unacceptable Behaviour Policy

13.1.2 Tenancy Agreement

13.1.3 Good Neighbour Agreement

## Associated Reading

13.2 Tenancy agreement of involved residents.

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