

ANTI-SOCIAL BEHAVIOUR & HATE POLICY



MONITORING INFORMATION

POLICY/PROCEDURE/STRATEGY:	ANTI-SOCIAL BEHAVIOUR AND HATE POLICY
DATE APPROVED:	AUGUST 2023
UPDATED:	FEBRUARY 2025
EXPIRY DATE:	AUGUST 2026
OWNER:	HEAD OF COMMUNITIES & ESTATES
APPROVAL ROUTE:	EXECUTIVE MANAGEMENT TEAM

1. Scope:

- 1.1. This policy outlines to our customers and colleagues the key principles Teign Housing will apply in dealing with anti-social behaviour and hate complaints across our communities.
- 1.2. As a registered social landlord, we are required by section 218A of the Housing Act 1996 to publish policies and procedures in relation to anti-social behaviour.
- 1.3. We want our communities to be places where people would like to live. We recognise that feeling safe at home and in the community is important to our customers.
- 1.4. We accept that everyone has a right to their chosen, lawful, lifestyle providing this does not spoil the quality of life for others. Teign Housing plays an important role in making sure that such rights and obligations are managed effectively. Tackling anti-social behaviour, hate, and nuisance is essential in achieving this result. This policy aims to prevent and reduce the harm caused to customers and communities.
- 1.5. This policy covers all customers, stakeholders, colleagues, and neighbourhoods affected by anti-social behaviour which falls within our area of responsibility, including how we respond to hate-related harassment, incidents and crime.
- 1.6. Although domestic abuse is linked to anti-social behaviour, we have a separate policy and procedure document which sets out our commitments to addressing domestic abuse for our customers.
- 1.7. Reports of anti-social behaviour can be reported directly to our Customer First Team on 01626 322722.
- 1.8. Calls outside of normal working hours (from 5 pm to 9 am Monday to Friday. Friday 5 pm to 9 am Monday) reports can be made to the ASB Respect Line on 0800 075 6699.

2.0 Definition of anti-social behaviour

2.1 Teign Housing adopt the following definition as per the Anti-social Behaviour, Crime and Policy Act 2014.

- *‘Conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person, or*
- *‘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’.*

2.2 Judgement will be exercised in deciding what amounts to anti-social behaviour in individual situations. For example, customers will have opposing perceptions of what constitutes anti-social behaviour. Teign Housing will therefore take a reasoned and proportionate approach to investigate these complaints. In some instances, these complaints won’t be investigated as anti-social behaviour but instead progressed by adopting our Estate Management Policy.

2.3 Complaints of noise nuisance will not be investigated as anti-social behaviour complaints in the first instance. We will instead examine all factors which could lead to the root cause. This is one instance where our Estate Management Policy may be used.

2.4 Whilst not limited to, here are a few examples of activities not considered to be anti-social behaviour:

- Doors banging
- Noise from children playing
- People staring
- Loud talking from adjoining properties and/or communal areas
- Noise from domestic appliances i.e. washing machines, vacuum cleaners
- One-off parties or festivals/events – such as bonfire night
- DIY at reasonable hours

2.5 Complaints will not be investigated as anti-social behaviour if the customer refuses or fails to provide any information relating to the complaint being reported.

3.0 Definition of hate-related harassment, crime and incidents

3.1 Hate Related Harassment:

We use the definition found in the Equality Act 2021 to identify hate-related harassment:

“Unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

3.2 Hate Crime and Hate Incidents:

The Association of Chief Police Officers distinguishes between a hate incident and a hate crime:

A **hate incident** is any incident which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate.

A **hate crime** is any incident which constitutes a criminal offence and is perceived by the victim or any other person as being motivated by prejudice or hate. This definition means that if anyone (the victim, a witness, a police officer, member of staff or 3rd party) perceives an incident as hate-related it should be recorded and investigated as such.

- 3.3 Complaints of hate-related harassment, incidents or crime will be investigated as anti-social behaviour adopting a harm-centred approach to managing the risk, agreeing an action and keeping in regular contact with the victim.

4.0 Policy statement

- 4.1 Teign Housing is committed to ensuring that all customers living in our communities enjoy the right to reasonable peace and comfort and to feel safe and secure in their homes and community.

- 4.2 Customers have the right to live without fear of being targeted for abuse, intimidation, harassment, humiliation because of their status, identifiable or group characteristics or affiliation.
- 4.3 Teign Housing recognises that although the number of individuals engaging in anti-social behaviour may not be high, their activities can have a disproportionate effect on the quality of other residents' lives.
- 4.4 This policy is written in compliance with the Housing Act 1996 (as amended by Part 2 of the Anti-Social Behaviour Act 2003 and the Anti-Social Behaviour Crime and Policing Act 2014 Section 12).

Our aim is to achieve a balance between:

- Prevention
- Enforcement
- Support

5.0 Preventing anti-social behaviour

- 5.1 It is our aim to prevent anti-social behaviour from happening by adopting these approaches:

- In accordance with our Lettings Policy, we will refuse applicants access to our homes if they have a history of anti-social behaviour.
- We will host community charter events for tenants of new build schemes to promote a sense of shared responsibility in respect of anti-social behaviour and encourage cohesive communities.
- We will apply our Estate Management Policy at the earliest possible opportunity to prevent cases from escalating into anti-social behaviour complaints.
- We will ensure that all new customers are made aware of their rights and responsibilities in relation to anti-social behaviour when they become a tenant.
- We will use starter tenancies to promote positive behaviour during the probationary period of the tenancy.

6.0 Anti-social behaviour case management principles:

- 6.1 We will adopt the anti-social behaviour principles developed by the Anti-social Behaviour Strategic Board to ensure consistent approaches are taken to understand and address anti-social behaviour in local communities.
<https://www.gov.uk/government/publications/anti-social-behaviour-principles/anti-social-behaviour-principles>
- 6.2 We will work collaboratively with key partner agencies, including the Police and the Local Authority to effectively respond to anti-social behaviour and to explore the full range of tools available as per the Anti-social Behaviour, Crime and Policing Act 2014.
- 6.3 We will nominate a lead on anti-social behaviour who will be responsible for ensuring consumer standards compliance is maintained when investigating complaints of anti-social behaviour and hate to ensure best practice standards are embedded across the Customers and Communities directorate. The nominated lead for anti-social behaviour will be positioned in the Head of Communities and Estates role.
- 6.4 Investigate complaints fairly and impartially.
- 6.5 Be clear with the customer about what they can and cannot expect from us and ensure that we consistently manage expectations in terms of our response to complaints of anti-social behaviour.
- 6.6 Engage customers in trying to resolve issues independently and be clear with residents that we use our enforcement powers in appropriate circumstances, and where all other attempts at resolution have either failed or have been exhausted.
- 6.7 Ensure that alleged perpetrators of anti-social behaviour are aware of the consequences of their actions, attempt to identify support needs (where appropriate), and introduce 'positive requirements' where possible to ensure perpetrators of anti-social behaviour manage their behaviour and conduct.
- 6.8 Always maintain appropriate confidentiality unless the information being shared presents a significant concern for the safety and welfare.
- 6.9 Always keep complainants informed about what is happening in their case.

7.0 Perpetrator management:

7.1 We understand that some perpetrators who commit acts of anti-social behaviour may be vulnerable and that the behaviour may be linked to a disability. In accordance with the Equality Act 2010, we will consider any vulnerabilities or disabilities made known to us in our investigations and aim to achieve the following:

- Eliminate unlawful discrimination, harassment, and victimisation
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

8.0 GDPR and data protection requirements:

8.1 The information that we receive in relation to anti-social behaviour and hate will be kept confidential and will not be released to third parties. If we discuss cases as part of a multi-agency meeting, we will share information in line with relevant information-sharing protocols.

8.2 Any information received that directly relates to a safeguarding concern will be shared in accordance with our Data Protection/GDPR Policy and Safeguarding Policy

9.0 Dissatisfaction with case management

9.1 Customers will be directed to our internal complaints process if they are dissatisfied with how a case has been managed.

9.2 Our Complaints process enables anyone who feels we are not managing their complaint as set out within the anti-social behaviour and hate policy and procedure to speak with our designated Complaints Resolution Manager.

9.3 If a complaint is made to the Local Authority for a statutory review, otherwise known as a Community Trigger Review (aka ASB Case Review), then this will not be considered a complaint and will not be directed through our internal complaints process. Teign

Housing will instead participate in the review meeting to determine if there are any outstanding actions or lessons learned from the case review and will act accordingly.

10.0 Co-development of this policy:

- 10.1 The anti-social behaviour and hate policy has been reviewed and co-developed with several stakeholders that include tenants, the Police and Local Authority.
- 10.2 The policy will be subject to regular monitoring and reviewing by the nominated lead on anti-social behaviour and hate to ensure consumer standards are kept, recommendations acted on, and best practices adopted across the Customers and Communities directorate.

11.0 Values and strategic objectives

- 11.1 **Value for Money:** Early intervention aims to reduce legal costs, time spent investigating deep-rooted complaints and increase customer satisfaction.
- 11.2 **Ethical:** Putting complainants and victims at the heart of our investigations and ensuring our Public Sector Equality Duty requirements are followed.
- 11.3 **Resourceful:** Using technology to enhance our service offer such as the Noise App and Tenant Portal to submit anti-social behaviour complaints.
- 11.4 **Excellent Services:** Co-developing our Policy and Procedures with customers, ensuring they are at the very heart of the service they receive from Teign Housing.

12.0 Monitoring and performance standards:

- 12.1 Cases of anti-social behaviour and hate will be reviewed and monitored monthly by the Communities and Compliance Manager, Independence, Wellbeing and OT Manager, Head of Communities and Estates and Director of Customers and Communities.
- 12.2 We will report annually to the Regulator for Social Housing our Tenancy Satisfaction Measures which include the perception-based question on “*Satisfaction with how Anti-social behaviour complaints are handled by the Landlord*” and “*Number of anti-social behaviour cases relative to the size of the landlord*”.

12.3 We will compare our performance with other similar organisations to ensure that our standards and performance meet industry standards.

12.4 We will follow our '*performance management framework on ASB*' (**Appendix A**) to ensure we are delivering high standards of performance on anti-social behaviour and hate cases.

Related documents:

- Corporate plan
- Housing strategy
- Anti-Social Behaviour and Hate procedure
- Domestic abuse policy
- Safeguarding policy & procedure
- Data protection/GDPR policy
- Contact management policy

Appendix A – Performance Management Framework

- **Performance Planning:**
 - Excellent Services: ensuring all activities relating to ASB align with Regulatory Standards and strategic objectives.
- **Performance Monitoring:**
 - Monthly performance monitoring. Case review audits are completed during pathways to success meetings with case handlers. Satisfaction surveys for all ASB cases closed. Ensuring SLA timescales for ASB are met or providing an explanation for those overdue. Average ASB case open timescales. Data sourcing from SSRS.
- **Performance Measuring:**
 - Quarterly reports to EMT on ASB performance by the Head of Communities and Compliance. Performance measured against SE and SW Housing Providers <10,000 properties New ASB cases monthly. Sector trends.
- **Performance Review/Auditing:**
 - Ensuring Policy and Procedures are fit for purpose, adequate procedures are in place to ensure continuous improvement, data integrity and managing SLAs with third-party contractors.
- **Performance Reporting:**
 - Scrutiny Group/Audit Committee. Balanced Scorecard monthly. Quarterly EMT Reports. Annual TSM reporting.



Transactional questions following the closure of an ASB complaint (Recommended by Housemark) under Customer Satisfaction of ASB Scorecard:

Thinking about your recent anti-social behaviour complaint, how satisfied or dissatisfied were you with the following:	The way your anti-social behaviour complaint was handled by <u>Teign</u> Housing
Thinking about your recent anti-social behaviour complaint, how satisfied or dissatisfied were you with the following:	The outcome of your anti-social behaviour complaint
Thinking about your recent anti-social behaviour complaint, how satisfied or dissatisfied were you with the following:	<u>Teign</u> Housing was easy to deal with

Key Performance Indicators (KPIs):

	Risk Code	Performance 2022-23	Trend	Actual 2023-24 YTD
Customer Satisfaction				
With Management of ASB	D1	100%		-

Monthly Indicators				
Number of households not accessed in 2 years by the Housing Team (GN)	D1	898		805
Number of open ASB cases	D1	33		30
Number of New ASB cases in the month	D1	66		0
Number of closed ASB cases in the month	D1	72		1
ASB complaints responded to in line with procedure	D1	100%		-

Noise App				
Number of Noise App cases raised in the month	D1			0
Average number of days cases are open each month	D1			0
Number of cases closed in the month	D1			0