



# **Anti-Social Behaviour and Harassment Policy**

How we will prevent and stop anti-social  
behaviour (ASB) and harassment

## **1. Policy Statement**

1.1 We are committed to tackling ASB and harassment experienced by our customers, their neighbours, staff and contractors. This policy says how we'll prevent and stop ASB in our places. We will do this by:

- Being clear from the start of the likely outcome of the case.
- Being clear about our expectations of our customers.
- Acting quickly when there is a problem.
- Making sure we see all sides of the story.
- Working with those causing problems to help them see how their behaviour affects others.
- Keeping in regular touch with our customers until problems are sorted.

1.2 Just so you know, we've a separate policy covering Domestic Abuse.

### **Who is this for?**

1.3 It's for all properties owned or managed by Yorkshire Housing (YH). It's for our customers, people who live with them or people visiting. If they cause problems in the surrounding area, it is for that too. It also covers our staff. We're happy to help where our customers are causing problems whoever you are.

## **2. Definitions of ASB**

2.1 It can be anything from a dog barking to serious violent or criminal behaviour. It also covers harassment due to race, gender, sexuality, disability or religion. We call this a 'hate' incident and we will work with the Police to take joint action.

2.2 It can take place at the customer's home or around the area where they live. We can take action against our customers, people who live with them and those visiting them.

2.3 We can also take action against the people who cause problems even though they don't live in one of our homes.

2.4 Here's some things which **are** ASB:

- Assault.
- Constant loud music.
- Name calling or threats.
- Late night disturbances.

2.5 Here's some things which **are not** ASB:

- Parking.
- Children playing.
- Normal household noise at reasonable times.
- Comments on social media.

2.6 In this policy we use some terms which it's helpful to provide a description for:

### **Stopping problems before they start**

2.7 We are clear that we expect our customers to behave responsibly and not cause problems and that goes for people who live with them and their visitors.

2.8 We issue all new customers who are new to social housing with a starter tenancy. This is a kind of trial tenancy to see if they are able to manage a tenancy. We're able to take action quickly if someone causes problems right at the start of their tenancy with us.

2.9 We issue a 'start/probationary tenancy' to all new customers who are new to social housing. This acts as a trial tenancy.

2.10 We also check the people who apply for our homes – this includes asking for references including from the previous landlord. We don't carry out Police checks – we've got to be reasonable and proportionate in what we do.

### **Partnership working**

2.11 We work with partners including the Police, Social Services support providers, Multi Agency Risk Assessment Committees (MARACs) and Community Mental Health Teams as well as local voluntary groups.

2.12 We work within the ASB, Crime and Policing Act 2014 that allows customers to request a multi-agency audit of their case if they believe no progress is being made to resolve their problems.

### **Our approach**

2.13 We'll act quickly where there is serious ASB such as an assault or threats made. This includes hate crime. We'll need to gather our evidence first and find out the facts.

2.14 We'll then consider the next steps; this could be issuing warnings; seeking early resolutions through mediation; issuing formal cautions and taking enforcement action.

- 2.15 We'll tell the customers experiencing the problem about the action we are taking; we'll say what the likely outcome will be and we'll explain what we are doing every step of the way including timescales. We'll also be clear if we are unable to take action.
- 2.16 We can't 'move' customers who are causing a problem without a court order and our focus will always be on resolving the issue rather than moving the problem elsewhere.
- 2.17 Sometimes ASB is caused or made worse due to someone's vulnerabilities or disabilities, we'll always ask for support and guidance from support agencies working with the person to find the best way forward. We take our responsibilities to safeguard vulnerable people really seriously whether they are causing the problems or experiencing them and we'll always refer to partners if we think someone is at risk.
- 2.18 Sometimes we'll need to use legal action – this is usually in a small number of cases. Some of the types of legal action we might take are:
- Tenancy Injunctions to stop someone doing something.
  - Civil Injunctions (ASB, Crime and Policing Act 2014).
  - Possession (including mandatory possession) leading to someone losing their home.
- 2.19 We've got other powers we can use too. The ASB, Crime and Policing Act 2014 gave YH additional powers which will be used when appropriate:
- Civil Injunctions for persons under 18 years old.
  - Exclusion Orders keeping someone away from an area.
  - Power of Arrest so the Police can immediately take someone away for breaking the injunction order.
  - Mandatory Possession following conviction of serious crimes, breaches of civil injunctions or Closure Orders.
- 2.20 We explain these and any other action really clearly to people affected.

### **Support**

- 2.21 We know that a really important partner in resolving problems of ASB is the victim and witness. Their experiences vary from lacking sleep through loud music; being annoyed by a barking dog; being targets with abusive or threatening language; witnessing criminal behaviour or even being the victim of violence or hate crime. This can leave a victim and witness feeling vulnerable, powerless and angry.
- 2.22 Victims and witnesses may be isolated in their neighbourhood or even within their immediate family. Victims and witnesses need to have confidence in our service and will be looking to YH to act as a champion and a companion.
- 2.23 We will offer support in the following ways:
- Prompt interviews and regular updates.
  - Use of CCTV and sound recording equipment to gather evidence.
  - Requesting extra Police patrols.
  - Issue of personal alarms.

- Use of window locks and security lights.
- Court protocols and support for witnesses.
- Leaflets giving advice on legal actions.
- Out of hours telephone contact.
- Professional witnessing service.

2.24 We'll consider each customer's individual circumstances and make sure we tailor our approach to meet these. We'll have a range of different ways to report problems including by phone, via an app or in person. We'll also talk to customers before we close a case to allow them to give their views.

### **Tackling the biggest problem**

- 2.25 Noise nuisance remains the biggest problem facing our customers and up to 40% of the problems reported to us. This can include loud music, people coming home late slamming doors and shouting, noisy DIY work, dogs barking and so on.
- 2.26 We're committed to tackling these issues and will do this by working with customers directly affected. We'll have a specific policy for this called our Neighbourhood Management Policy.

### **Taking a community based approach**

- 2.27 A few of our neighbourhoods suffer a disproportionate number of ASB problems. We will, with our customers living there, develop effective and co-ordinated responses to these complex problems covering lettings, community togetherness, Police partnerships and delivering a local visible presence. We will ensure customers are kept involved and informed of all that we are doing and the successes we make.

### **How we look after your information**

- 2.28 We comply with the Data Protection Act 2018 that sets out requirements for ensuring data about individuals is properly protected and only shared in a lawful way. Any information shared:
- Will be necessary, relevant and not excessive.
  - Will be shared fairly and transparently.
  - Will be accurate and up to date.
  - Won't be kept any longer than is necessary.
  - Will be kept secure.
- 2.29 Staff will at all times be vigilant to ensure that they maintain confidentiality and do not give details of cases they are working in or aware of to any person inappropriately.
- 2.30 We will be sensitive to the effect that disclosure of identity to a perpetrator or any other party could have on any complainant. We will only disclose the complainant's identity to the perpetrator and any other parties including doctors and teachers with their explicit and recorded permission.

### **Monitoring our service**

- 2.31 We collect data on ASB to show we meet our performance targets; that we do not discriminate against anyone in any individual case; how satisfied customers are and where to improve our services; identify hotspots and specific problems and to target our resources most effectively.
- 2.32 Seeking feedback from customers and especially victims of ASB is very important to us. It helps us check that we are doing the right things and helps improve the way we work. We will make sure all customers are given this opportunity and that their views are listened to carefully.
- 2.33 Customers will help design our service standards and help monitor how well we stick to them.

### 3. Diversity and Inclusion Implications

- 3.1 Making sure that our policies are inclusive and ensure fair treatment for all is really important to us. The policy ensures fair treatment for anyone who may raise a concern under this policy or is part of an investigation, regardless of race, ethnic origin, nationality, gender, disability, religion, marital status, maternity, sexuality or sexual orientation, or age. If you think we've got this wrong, please contact the policy owner.

### 4. Reporting and Monitoring

- 4.1 This policy will be reviewed regularly to reflect current legislation and good practice.

<b>Date approved</b>	July 2023
<b>Approved by</b>	Homes and Places Committee
<b>Recommended / scrutinised by</b>	Place Teams Customer Insight and Engagement Team Customer Voice and Review Committee (CVRC)
<b>Summary of changes</b>	The previous ASB Policy and Harassment Policy have been combined into the single policy. Written with the Housing Ombudsman Spotlight on noise in mind. This Policy has been co-designed with our CVRC.
<b>Frequency of review</b>	Every four years
<b>Next review date</b>	July 2027
<b>Policy owner</b>	Jo Griffin, Head of Place
<b>Policy author</b>	Jo Griffin, Head of Place
<b>Associated policies or guidelines</b>	Domestic Abuse Policy Safeguarding Policy Neighbourhood Management Policy (to be produced by December 2023)
<b>Associated procedure</b>	ASB Procedure