

# ANTI-SOCIAL BEHAVIOUR (ASB) POLICY

## 1. INTRODUCTION

1.1 Islington & Shoreditch Housing Association (ISHA) is committed to tackling anti-social behaviour (ASB) to improve the quality of life and create a safer environment for our residents. We want to work in partnership with residents and other agencies and ensure that we play our part in creating sustainable communities in which people want to live. We believe that both preventative and enforcement measures should form the basis of an effective ASB behaviour policy.

## 2. AIMS

2.1 Managing ASB links to ISHA's vision of being a consistent and quality landlord, building service delivery that drives satisfaction in partnership with residents. We want our residents to be clear about what we will and will not do, what are our responsibilities and jurisdiction and what they can expect from us when they report ASB.

## 3. DETAILS

3.1 There are many definitions of ASB however ISHA has adopted the ASB Crime & Policing Act 2014 definition as follows:

- (a) Conduct that can cause, or is likely to cause, harassment, alarm or distress to any person,
- (b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) Conduct capable of causing housing-related nuisance or annoyance to any person

3.2 Examples of ASB may include (this is not an exhaustive list):

- Unreasonable noise nuisance
- Intimidation or harassment
- Aggressive and threatening behaviour to another person
- Actual violence against another person
- Hate crime that targets another person or group because of their perceived difference such as race or religion

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- Using accommodation to carry out illegal activity such as selling drugs and prostitution
- Environmental ASB such as deliberate damage and misuse of communal areas, deliberately leaving communal areas insecure and not disposing of rubbish in the correct manner.
- Pet nuisance such as excessively barking dogs.

3.3 Some behaviour, even though it may cause a nuisance to others may not be regarded as ASB. Examples of the types of issues which ISHA does not include as ASB are:

- People walking across floors whilst wearing shoes
- Noise from domestic appliances such as vacuum cleaners, lawn mowers, washing machines etc unless late at night and repeated
- Noise from children playing outside, including football and other ball games
- Arguments and squabbles between children
- Family lifestyle e.g. cooking smells, talking/laughing in gardens, noise when children come home from school, differing lifestyles between young and more mature residents, friction between day and night workers
- Overgrown hedges and gardens
- DIY work and occasional events such as BBQs, and parties to celebrate special occasions
- Gossip

3.4 ISHA adopts the statutory definition of Domestic Abuse (DA) as defined in the Domestic Abuse Act 2021.

‘Abusive behaviour’ is defined in the act as any of the following:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- economic abuse
- psychological, emotional or other abuse

For the definition to apply, both parties must be aged 16 or over and ‘personally connected, and:

- are married to each other
- are civil partners of each other
- have agreed to marry one another or have entered into a civil partnership agreement (whether or not either agreement has been terminated)
- are or have been in an intimate personal relationship with each other
- have, or there has been a time when they each have had, a parental relationship in relation to the same child
- are relatives

How we deal with domestic abuse is dealt with under a separate policy, but all cases will be recorded on our ASB case management system..

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**Dealing with Noise**

3.5 Our homes are located in urban areas where there is often some noise transference from one home to another, and this is unavoidable. Because of this, most ASB complaints made by residents are regarding noise from neighbouring properties.

We have considered the recommendations in the Housing Ombudsman report “Spotlight on Noise Complaints (published October 22)” when drafting our approach to dealing with noise complaints. We will ensure that where we receive reports of noise that we carry out a impact assessment and where we are unable to take any action under our policy, because the report does not meet the threshold of ASB, we will provide advice / signpost / refer residents to support services.

**Putting Victims First**

3.6 Home Office guidelines expect the Police, Councils and Housing Associations to take a victim centered approach to ensure that high risk complainants of ASB receive appropriate support. In response to this ISHA will carry out a risk assessment on all victims who report ASB. Where appropriate vulnerable victims will be classified as high risk cases and if appropriate referrals will be made to ISHA’s Outreach & Support services or external support providers for these complainants.

**Working in Partnership**

3.7 ISHA recognises that it cannot act alone in preventing and tackling ASB. Wherever appropriate and particularly with high risk complainants ISHA encourages a multi-agency approach to ASB, by working with our service partners including the Local Authority, Police Service, Fire Brigade, Social Services and other Registered Social Landlords, to continually address ASB, improve neighbourhoods and help create better communities.

3.8 ISHA will share information to help us gather evidence to deal with incidents of ASB. We will comply with data protection guidelines and ensure that third party information is transferred and received securely, kept confidential and disposed of securely and in line with information sharing guidelines.

**Balanced Approach**

3.9 ISHA aims to have a balanced approach between prevention, support and enforcement.

3.10 When developing homes, we include ASB prevention in our design standards which include measures to reduce noise transference between homes and from communal plant and machinery. We also develop homes in line with Secure by Design guidelines which focuses on crime prevention in the development of new homes.

3.11 When assessing applicants for rehousing we will assess them for their impact on the community. We will check whether there has been an previous action taken against them for antisocial behavior.

3.12 We relet all our homes with carpets in bedrooms and living rooms. Whilst the primary reason for this is to ensure that residents start off on the right footing and have basic

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furniture provision in their new home, a by-product of this is that carpets help to reduce noise transference between homes.

3.13 ISHA will ensure that all new tenants receive information about their obligations regarding preventing ASB under the terms of their tenancy.

3.14 ISHA will act promptly to deal with reports of ASB and support victims and perpetrators of ASB to prevent escalation, however where this is not successful or appropriate say where there are serious threats and/or actual violence ISHA will take enforcement action such as injunction action to protect victims before we engage or contact the perpetrator.

**Service standards**

3.15 ISHA have clear service standards for responding to ASB. The following standards give clear guidelines about what residents can expect when they report ASB:

- A response and acknowledgement within clear timescales based on the severity of ASB reported, ranging from 1 working day for high risk, 3 working days for medium risk, and 5 working days for low risk.
- We will agree a ‘Complainant’s Action Plan for dealing with initial investigations, which will be recorded.
- We will contact complainants at least once per calendar month with an update regarding their case.
- We will contact residents when we close a case giving clear reasons for our decision.
- We will undertake a risk assessment for all complainants of ASB regardless of the severity rating of their complaint. This will ensure that vulnerable residents receive support from ISHA or alternative support providers if required
- We will always listen and respond to noise recordings received from residents

**4. HEALTH AND SAFETY**

4.1 All ISHA staff dealing with ASB complaints will have access to the Customer Alert Register and must ensure they check this prior to carrying out any visits or interviews.

4.2 All case officers will adhere to ISHA’s lone working policy.

**5. EQUALITY AND DIVERSITY**

5.1 The ASB procedure sets out how ISHA will deal with vulnerable residents; however exemptions can be made to this procedure for residents who may be unable to deal with ASB themselves or access other service providers due to disability or vulnerability.

**6. TRAINING**

6.1 ISHA will ensure that all Tenancy Officers are trained and/or have the relevant experience for dealing with ASB cases. Staff in the Contact Centre will receive training to provide telephone advice to residents reporting ASB.

**7. DATA PROTECTION CONSIDERATIONS**

1.1 7.1 Information shared with ISHA relating to ASB can be sensitive and private. Personal or sensitive data will be processed in line with the Data Protection Act 2018.

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1.2 Where possible, we will seek to establish information sharing protocols with relevant external agencies to help in managing ASB cases.

1.3 Staff will ensure that they comply with ISHA’s Data Protection Policy and our Privacy Policy, and only share information with the consent of the Complainant, unless:

- information sharing is necessary for the protection of children or a vulnerable person.
- Information sharing is required for the prevention or detection of crime.
- ISHA is required by law to share the information.

**8. STATUTORY AND REGULATORY FRAMEWORK**

- Housing Act 1985
- Housing Act 1988
- Anti-Social Behaviour, Crime and Policing Act 2014
- Crime & Disorder Act 1998
- Disability Discrimination Act 2005
- Human Rights Act 1998
- Data Protection Act 2018
- General Data Protection Regulation (GDPR)

**9. MONITORING**

9.1 We regularly review performance in relation to our ASB service. This includes:

- Monthly case monitoring meetings with the Tenancy Officers and Housing Manager
- Monitoring of ASB satisfaction KPI at Leadership Team and ISHA Board

**10. REVIEW**

This policy will be reviewed in 3 years or sooner if there are changes in legislation, regulation or best practice.

**11. ASSOCIATED DOCUMENTS**

- Data Protection Policy
- Domestic Abuse & Violence against Women & Girls policy
- Lone Working Policy
- Safeguarding Policy

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