



Anti-Social Behaviour Policy

July 2017

Approved by:	Board
Date:	13 July 2017

1.0 Introduction

Bron Afon recognises the negative impact anti-social behaviour can have on the lives of individuals and communities. Our clear purpose is to improve lives and life chances and this Anti Social Behaviour (ASB) Policy is based on what we know matters to our tenants and residents. It aims to ensure we take a balanced approach and that our actions are reasonable and proportionate when we address anti-social behaviour in our communities.

We will focus on prevention to stop issues arising in the first place, identify risk and vulnerabilities which may exist and put support in place for people who need it. We will seek to design out the ability to create nuisance through our property development and maintenance activity. We will intervene early and work in partnership with relevant agencies to find joint solutions where appropriate. We will be responsive to the issues and use all measures available, both legal and non-legal, to find solutions with an overall goal around maintaining tenancies and creating sustainable communities.

2.0 Policy Statement

Bron Afon's approach to preventing and tackling anti social behaviour will place at its heart the following key principles:

- Communication
- Support
- Taking Action

We will **communicate** effectively with complainants of ASB, keeping them fully informed and updating in a way that suits them. We will take a customer focused approach in all of our dealings. We will set this out in written contracts so complainants are clear about this and the timescales involved.

We will offer **support** directly and via our partners providing an empathetic, tailored and person centred approach.

We will **take action** involving non legal and legal steps where there is evidence to do so. We will explain clearly the steps we will take. Action we take will be based on proven incidents which have occurred.

3.0 Relevant Legislation

This policy and our approach will be fully compatible with the obligations contained in:

- Anti Social Behaviour Act 2003
- Anti Social Behaviour, Crime and Policing Act 2014
- Crime and Disorder Act 1998
- Data Protection Act 1998
- Equality Act 2010
- Homelessness Act 2002

- Housing (Wales) Act 2014
- Housing Act 1996
- Human Rights Act 1998

4.0 Definition of ASB

Bron Afon defines anti-social behaviour as outlined in the Anti-Social Behaviour, Crime and Policing Act 2014:

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

The following is not an exhaustive list, but examples of ASB can include:

- noise
- use of drugs
- drug dealing
- vandalism/graffiti and damage to property
- verbal abuse
- harassment
- intimidation
- threatening behaviour
- hate related incidents
- physical violence
- threats of arson and possession of fire arms

5.0 Definition of Hate Incidents/Hate Crime

A Hate Incident is: Any non-crime incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a personal characteristic.

A Hate Crime is: Any criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a personal characteristic.

There are six commonly monitored strands of hate crime:

- Race or ethnicity
- Religion or belief
- Sexual orientation
- Disability
- Gender
- Transgender identity

We will deal with all hate crime and hate related incidents firmly, quickly and fairly using all available means available to us including the taking of legal action.

6.0 Obligation of Tenants and Leaseholders

Tenants and Leaseholders have a responsibility to behave in a reasonable manner and ensure that their family and any visitors do so as well. We will take appropriate action against customers, members of their household or their visitors if they do not comply with these responsibilities and those set out contractually in their tenancy agreement or lease with us.

7.0 Taking non legal action

Recognising early intervention can be an effective way to deal with anti social behaviour, we will take reasonable steps to ensure all non-legal action is taken first to resolve matters. This can include highlighting breaches of tenancy, offering mediation, evidence gathering, issuing Acceptable Behaviour Contracts (ABC), trespass notices, formal warnings and offering appropriate support to victims, witnesses and perpetrators. If all non legal steps have been exhausted without success or in cases where it is quickly evident that we need to act swiftly because of a level of vulnerability or a risk of serious harm, we will then consider legal action.

8.0 Taking legal action

Legal action will be considered and taken based on proven incidents. Legal remedies can include section 21 notice, section 8 notice, injunction, demotion, possession application and eviction.

We may co-ordinate our approach with other agencies wherever appropriate. Actions led by the Police and local authorities can include criminal proceedings, closure orders and noise abatement notices.

We will always be clear with complainants and witnesses about the limits and boundaries to any legal action we take. We will remain supportive and in close contact with them in any instance where there has been a collective decision that another agency is best placed to lead proceedings.

9.0 Supporting the complainant

Bron Afon will provide as much support as possible to complainants and witnesses of anti-social behaviour, including where necessary taking steps to provide protection whilst a case progresses (e.g. by obtaining an injunction against a perpetrator or facilitating an emergency home move). We recognise some tenants and residents may have complex needs (e.g. mental health) which will require tailored support and we will seek to meet this need ourselves or in collaboration with other support and health agencies. At all times we will ensure safeguarding is a key priority.

10. Case Management

All contact will be recorded using the YODA case and contact management system. We will understand and document the outcomes the complainant wants and what action has been agreed with them, including the frequency and type of contact, with the activity then followed up in writing. We will adopt a risk based approach and

collate evidence from a variety of sources in order to manage the case effectively. We will ensure that we will keep complainants and perpetrators informed of what action has been taken and is proposed throughout the life of the case.

We will document the rationale for our decision making and ensure where possible cases are only fully resolved with the complainants agreement. At the point of resolution a further after care period of monitoring will take place to ensure that unwanted conduct or behaviour has ceased. Cases will be handled sensitively taking full account of our requirements under the Equality Act 2010.

11. Multi agency and Partnership Working

A multi agency approach will be applied to tackling complaints of anti social behaviour to ensure the full and extensive range of tools available within the community safety partnerships are available. Partnership work will be used actively for the purpose of resolving ASB. Key partners include the Police, Probation Services, Health Services, support agencies and Local Authorities.

12. Staff Support

We are committed to ensuring the safety of our staff. We will not tolerate threats, abuse or harm towards staff, contractors or agents working for us and will act swiftly and proportionately should such incidents arise. We will provide support which will include appropriate training to help staff to be confident and knowledgeable to deal with anti-social behaviour. We will keep staff up to date with current best practice and legislation.

13. Confidentiality

Bron Afon will ensure that personal data is managed properly, in accordance with our data protection scheme and that information disclosed to us by complainants is kept confidential. Permission will be sought from involved parties prior to the disclosure of information to other parties, their legal representatives or other interested parties. Any disclosure will be made in compliance with the provisions of the Data Provision Act 1998 and ASB, Crime and Policing Act 2014. Exceptions can and will be made to this approach where a person's vital interests necessitate and in instances where we consider there is a safeguarding issue.

14. Publicising the Policy

The policy will be publicised on our website. Bron Afon will seek to clearly publicise its approach to dealing with anti-social behaviour, the support and actions complainants of ASB can expect and the consequences for those continuing with anti-social behaviour

15. Monitoring our Performance

In ensuring this Policy is delivered to a high standard Bron Afon will:

- Use our customer insight data to tailor our service and manage cases effectively.
- Carry out regular case reviews ensuring a high standard of customer service.

- Carry out satisfaction surveys and follow up any cases of dissatisfaction with the service in a timely manner.
- Involve the Tenant Services Forum in monitoring service performance and outcomes.

16. Equality & Diversity Implications

This policy has been subject to an Equalities Impact Assessment and is applicable to all individuals with full regard given to all protected characteristics as outlined by the Equality Act 2010. These are the following:

- Age
- Disability
- Gender reassignment
- Marriage & Civil partnerships
- Pregnancy & maternity
- Race
- Religion & belief
- Sex
- Sexual orientation

17. Financial Implications

Bron Afon has a committed budget to resource teams to manage ASB which includes Community Housing and Community Safety Teams. We also have in place a legal budget to enable the teams to seek legal advice and representation.

18. Related Internal Documents

- Community Safety Procedure
- Customer Insight data
- Data Protection Policy
- Domestic Abuse Policy
- Equality and Diversity Policy
- Estate Management Policy
- Health & Safety Policy
- Inclusion and Support Strategy
- Leasehold Management Policy
- Pets Policy
- Safeguarding Policy
- Tenancy Management Policy
- Tenancy Management Procedure
- YODA case, contact & activity Procedure
- YODA System Guidance relating to Community Safety Module

19. Review

This policy will be reviewed in 2020.

20. Document History

Version number	Final 4.0
Date approved	13 July 2017
Next review due	2020
Review Committee	Tenant Services Forum
Who this policy applies to	Staff dealing with ASB
Approved by	Board
Who is responsible for the policy	Director of Community Housing & Support
Risks of not having this policy	Not complying with legal and statutory obligations
Links with legislation	As outlined in policy
Links with other policies	As outlined in policy
Who has been consulted	Staff, involved tenants & residents & Tenants Service Forum workshop

21. Revision History

Draft 1.0		Kaniz Malekin	First Draft
Draft 2.0		Kaniz Malekin	Revised Draft following comments
Draft 3.0		Cath Pullin	Revised draft following SMT comments
Final 4.0		Cath Pullin	Final Version approved by Board 13.7.2017