



manningham
HOUSING ASSOCIATION

ANTI-SOCIAL BEHAVIOUR POLICY



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1. BACKGROUND

Manningham Housing Association (MHA) is a registered social housing provider. The Association provides general needs and shared ownership housing for rent.

This policy sets out how we will deal with actions by residents, their family members or visitors which cause nuisance or annoyance to their neighbours. We aim to make our homes and communities pleasant and secure places to live and will not tolerate any anti-social behaviour (ASB) caused by residents, their visitors, family or any other person.

This policy should be read and used in conjunction with our 'Hate Crime Policy', 'Domestic Abuse Policy' and 'Supporting Vulnerable Residents Policy'.

2. DEFINITION AND EXAMPLES OF ASB

Anti-social behaviour is defined in law as conduct that has caused, or is likely to cause, harassment, alarm or distress to any person. The law also gives specific definitions of anti-social behaviour in housing:

- 'conduct capable of causing nuisance or annoyance to a person in relation to their occupation of residential premises'
- 'conduct capable of causing housing-related nuisance or annoyance to any person'.

Housing-related nuisance or annoyance refers to behaviour affecting a local authority or social landlord's ability to manage housing. Within housing, anti-social behaviour can include (by way of example):

- Harassment, verbal or physical abuse
- Racial Abuse or Hate Crime (Staff should refer to our Hate Crime Policy)
- Criminal damage including vandalism
- Failure to control animals/pets
- Noise nuisance
- Drunk and disorderly conduct
- Threatening or intimidating behaviour
- Drinking alcohol or smoking while underage
- Substance Misuse/Drug Dealing
- Graffiti
- Litter and rubbish dumping
- Nuisance driving/vehicles
- Prostitution



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MHA would not ordinarily consider the following activities to constitute ASB:

- Normal activities within the home at reasonable times of day, such as footfalls, moving furniture, talking, cooking, smoking and babies crying.
- Use of domestic items at reasonable times of day, such as doors, washing machines, boilers, toilets, vacuum cleaners, tools or gardening equipment.
- Cars being parked legally, animal fouling, shared gates being left open or closed, children playing in a garden/communal/public space.
- Disputes over the maintenance of boundaries including the upkeep of fences and hedges.
- Personal differences or speaking unfavourably or untruthfully about another person, this includes using social media to air personal grievances.

In cases where issues are repeatedly reported, MHA will consider whether the cumulative effect constitutes Anti-Social Behaviour on an individual case basis.

3. KEY PRINCIPLES

MHA is committed to upholding the highest standards of service delivery and resident engagement, as outlined by the Regulator of Social Housing's Consumer Standards. Our approach to addressing ASB is guided by the following key principles:

Resident-Centred Approach:

- MHA is committed to placing residents at the heart of our services. We will ensure that residents are well-informed about their rights and responsibilities, particularly regarding ASB, and are supported in voicing concerns or complaints.
- We will ensure that residents can easily access ASB services and are treated with respect, fairness, and confidentiality.

Transparency and Accountability:

- We will operate with openness and transparency, clearly communicating our ASB policies, procedures, and actions to residents.
- MHA will ensure accountability in the management of ASB cases, providing clear explanations for decisions and actions taken, and regularly updating involved parties on the progress of their cases.

Effective Collaboration and Partnership:

- MHA will work collaboratively with external partners, including local authorities, the police, and other relevant agencies, to prevent and address ASB in the communities we serve.
- We will engage in multi-agency working and information-sharing protocols to deliver coordinated and effective responses to ASB.



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Prevention and Early Intervention:

- MHA will prioritise preventative measures and early intervention strategies to reduce the incidence of ASB. This includes offering support services, community activities, and mediation to address issues before they escalate.
- We will proactively identify potential ASB hotspots and work with residents and partners to implement measures that deter anti-social behaviour.

Support for Vulnerable Residents:

- We recognise that some residents may be particularly vulnerable to the impacts of ASB, either as victims or perpetrators. MHA is committed to providing tailored support and access to services for vulnerable individuals, ensuring their needs are met effectively.
- MHA will also work to ensure that our response to ASB is proportionate and takes into account any underlying issues, such as mental health or substance misuse, that may contribute to the behaviour.

Equality and Diversity:

- MHA will ensure that our ASB policy is inclusive and non-discriminatory, respecting the diverse needs of our residents. We will take a firm stand against any ASB rooted in discrimination or hate crime and will address such behaviour with the seriousness it warrants.
- We are committed to ensuring that all residents, regardless of their background, can live in safe, secure, and peaceful environments.

Continuous Improvement:

- MHA is committed to continually improving our ASB services. We will regularly review and update our policies and procedures in light of new regulations, resident feedback, and best practice developments.
- We will also use data and performance monitoring to assess the effectiveness of our ASB interventions and make necessary adjustments to enhance outcomes for our communities.

Resident and Community Engagement:

- MHA values the input of our residents and communities in shaping our approach to ASB. We will seek regular feedback through surveys, focus groups, and community meetings to ensure our policy remains relevant and effective.
- We will actively promote community cohesion through initiatives that encourage positive behaviour and mutual respect among residents.

Legal Compliance:

- MHA will ensure full compliance with all relevant legal and regulatory requirements related to ASB, including the Anti-Social Behaviour, Crime and Policing Act 2014, Equality Act 2010, and any other applicable legislation.



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We will also ensure that our actions and interventions uphold residents' rights under the Human Rights Act 1998 and the Data Protection Act 2018.

4. REGULATORY AND LEGAL FRAMEWORK

The Regulator of Social Housing's Neighbourhood and Community Standard for ASB requires Registered Providers to collaborate with other agencies to prevent and tackle ASB in the neighbourhoods where they own homes.

Providers must:

- Ensure customers are aware of their rights and responsibilities concerning ASB.
- Demonstrate strong leadership, commitment and accountability in preventing and tackling ASB, reflecting a shared understanding of responsibilities with other local agencies.
- Focus on preventative measures tailored towards the needs of customers and their families.
- Take prompt, appropriate and decisive action to resolve ASB issues using the full range of tools and legal powers available before it escalates.
- Ensure all customers can easily report ASB, are kept informed about their case status, and are appropriately signposted if responsibility lies elsewhere.
- Provide support to victims and witnesses.

MHA is also required to comply with relevant regulatory and legislative frameworks, including:

- Anti-Social Behaviour, Crime and Policing Act 2014
- Anti-Social Behaviour Act 2003
- Equality Act 2010
- Crime and Disorder Act 1998 , as amended 2002
- Housing Act 1996
- Human Rights Act 1998

5. PREVENTATIVE MEASURES

Where possible, MHA will seek measures to prevent instances of ASB from occurring. For instance, we will:

- Organise activities designed primarily to prevent or minimise ASB incidents for example, activity programmes/events for young people during holidays, action days with partner agencies such as the Police or Neighbourhood Wardens
- Organise scheme meetings to obtain feedback from residents and to prevent potential ASB escalation
- Carry out regular scheme walkabouts with residents to inspect properties
- Support "Good Neighbour" and/or "Neighbourhood Watch" initiatives
- Collaborate with the police and other agencies

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- Utilise relevant information sharing protocols
- Carry out security improvements to our schemes and properties (such as alley gating, extra lighting, extra fencing, landscaping etc.) to prevent ASB and criminal activity where feasible
- Take prompt action to deal with abandoned vehicles and refuse dumping
- Publicise our ASB policy and successful actions through our web site, resident newsletters and other media as appropriate
- Develop Estate Management Plans

In collaboration with local agencies, MHA will also:

- Offer Mediation services in appropriate cases
- Diversionary activities and projects for local youths such as summer schemes, sporting activities, recreational and leisure activities, where required
- Advise vulnerable residents to consider accessing floating support and will assist to link them to relevant providers of such services where available
- Work with perpetrators of ASB related to substance and alcohol misuse, mental health or disability issues to seek early intervention and appropriate support

6. DIFFERENCES BETWEEN NEIGHBOUR DISPUTES AND ANTI-SOCIAL BEHAVIOUR

Neighbour disputes can escalate into ASB, if not addressed promptly. However, neighbour disputes differ from ASB in nature and scope.

Neighbour disputes typically involve:

- Differences concerning tenants' understanding of obligations as good neighbours under their tenancy agreement (e.g., use of communal facilities, garden maintenance, child and pet control, etc.).
- Disagreements between previously friendly neighbours, often due to changes in previously agreed arrangements (e.g., mutual help, access to spaces).
- Offensive or insensitive queries, comments or complaints, often resolvable through apologies or better understanding of different cultural or religious values.

Neighbour disputes are handled as part of general tenancy enforcement.

7. OBLIGATIONS OF RESIDENTS

The tenancy agreement is the legally binding contract between MHA and our residents. It specifies the obligations, terms and conditions for both parties. Our tenancy agreements contain specific clauses on ASB, making clear what type of behaviour is expected and what is unacceptable. Residents are responsible for the behaviour of household members and visitors, including children.



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We clarify to residents whether their ASB reports are issues we can realistically and appropriately investigate. If statutory bodies are unwilling to support an investigation, we will explain why and suggest alternative ways residents can address the issue themselves.

Residents are expected to take responsibility for minor personal disputes with neighbours, with MHA providing advice on how to approach such situations.

When a housing-related neighbour dispute is identified and both parties are willing to engage, the Neighbourhood Officer may refer the case to a mediation scheme.

If another agency is better suited to investigate the issue (e.g., the Police or Local Authority), MHA will provide advice and contact information, but residents will be expected to liaise directly with those agencies thereafter.

8. MAKING A REPORT

All reports of ASB will be taken seriously by MHA. Reports can be made:

- Verbally (by telephone, on site, office interview)
- In writing
- Via the association's website or Customer Portal
- Anonymously

Reports will be dealt with by the Neighbourhood Officer.

Whilst written reports are helpful, MHA will not insist on this in recognition of the fact that there are people who have difficulties with reading and writing, or whose first language is not English. Moreover, the Association will organise interpreting services, if required.

Reports can also be made by a relative, friend, Councillor, MP, and others, with the permission of the complainant.

In some instances of ASB we will advise the complainant to report the incident to the police and obtain a log/crime number if applicable. Such instances may include suspected drug dealing/use, violence, or threat of violence, vandalism/property damage, and racial and other forms of harassment and hate crime.

Any information given to us will be treated in confidence. Information will not be passed to the person causing the nuisance without the permission of the person who gave the information. In addition, information may be shared with other parties under any Information Sharing Protocols we have signed up to, if this is authorised under the Crime and Disorder Act. Examples of organisations this may apply to include:

- Local Authorities

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- Police Authorities
- Fire and Rescue services
- Primary Health Care Trusts
- Probation Service

We may exchange information with these agencies where it would help to protect public safety, the rights of others, or to prevent or detect crime. In sharing information, we will take account of the provisions of the Data Protection Act and the Human Rights Act.

There will be times when reports of anti-social behaviour will need to involve other social housing providers or Local Authority areas because either the complainant or the alleged perpetrator is a tenant of that organisation. When these types of reports are made to MHA the Neighbourhood Officer will discuss with the relevant organisation who will take a lead role in coordinating specific actions and this information will be shared with everyone involved in the antisocial behaviour report.

9. EXAMPLES OF POSSIBLE APPROPRIATE ACTION

- a. Customers to resolve their differences with one another** - Where possible we will encourage complainants to try to resolve the problem directly with one another before intervening.
- b. Mediation Services** - If the complaint is a dispute between two parties the problem can sometimes be solved by the two parties talking to each other through an external mediator specializing in dispute resolution.
- c. Warning letters/ Visits to the complainants and perpetrators** - We will visit the complainant, where appropriate to gain further information, establish their support needs and the involvement of relevant agencies. We will write to, or visit the perpetrator, where appropriate to explain that they are causing a nuisance, remind them of the clauses in their tenancy agreement if appropriate, warn them of the consequences of continued nuisance and ask them to stop the nuisance behaviour.
- d. Acceptable Behaviour Contracts (ABCs)** - This is a written agreement between an individual, the Police and the Landlord. The agreement is not legally binding but sets out certain types of behaviour and acts that the individual promises not to carry out.
- e. Community Protection Notices (CPN) & Criminal Behaviour Orders (CBO)**- These are Court Orders that have replaced Anti-Social Behaviour Orders (ASBO's) in England, Wales and Northern Ireland. Community Protection Notices (CPN's) can be issued against any individual aged 16 years and over who are found to be perpetrating regular and persistent anti-social behaviour by the Police, Council, or a landlord.
- f. Injunctions** - Injunctions are court orders which prohibit people from carrying out certain acts. Injunctions can be made as well as, or instead of, a CBO. The Court can add a power of arrest to an injunction. If an injunction is broken the perpetrator can be fined or even imprisoned by the Court.
- g. Demotion Orders** - This is a power which allows the ability to 'demote' a Secure or Assured tenant. In MHA's case, the Non Shorthold Assured Tenancies that we normally give to our customers can be demoted to Assured Shorthold.

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- h. ASB Case Review (formerly known as the 'Community Trigger')** - The Anti-Social Behaviour, Crime & Policing Act 2014 provides for the ASB Case Review. The ASB Case Review is a mechanism for victims of persistent ASB to request that relevant bodies undertake a case review.
- j. Possession Proceedings & Eviction** - As a last resort MHA will consider applying to court for possession of a property. MHA must satisfy the courts that such action is reasonable and that all other routes have been exhausted. In the event that the Court has awarded a Possession Order, or there have been further incidents of anti-social behaviour following a Suspended Possession Order, MHA will apply for a Warrant of Execution to evict the tenant. MHA will not re-house a tenant who has been evicted for Anti-Social Behaviour.

10. CLOSING AN ASB CASE

ASB cases will be closed when:

- The ASB has ceased, and no further incidents have been reported within a specified monitoring period which has been agreed with the complainant
- The complainant is satisfied with the action taken
- We are unable to get sufficient evidence in order to take any action
- If a complainant withdraws their complaint

There may be occasions where we are obliged to keep a case open. For example, where we have secured a Suspended Court Order through the courts which requires us to monitor behaviour for an agreed length of time or when a Section 8 or 21 notice has been served on individuals.

Before closing an ASB case, the Neighbourhood Officer will inform the complainant and if appropriate ask how satisfied they were with our handling of the case. We will use this information to improve our service.

If a resident is dissatisfied with how their ASB case is handled, they may file a formal complaint through MHA's internal complaints procedure.

11. SUPPORTING ASB COMPLAINANTS

MHA will support ASB Complainants throughout all stages of the process by:

- Offering simple and accessible reporting channels
- Providing prompt responses to ASB reports
- Logging all ASB reports in our ASB database
- Handling all reports sensitively and confidentially
- Providing regular updates on the case progress, as agreed with the complainant
- Identifying support needs and involving relevant agencies
- Discussing proposed actions with the complainant
- Conducting risk assessments of the complainant's home if applicable

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- Providing protection measures (e.g., new locks) where necessary
- Informing relevant site staff to monitor the situation

12. SUPPORTING WITNESSES

Witnesses are crucial for successful legal action, though fear of intimidation may deter them from coming forward. MHA will:

- Collaborate with partner agencies to support vulnerable witnesses
- Explain the court process to witnesses before they attend
- Assist with transport and accompany witnesses to court, upon request
- Conduct risk assessments of witnesses' homes and provide protection measures (e.g., new locks, extra lighting, fencing) if advised by relevant agencies

In some cases, MHA staff may give witness statements to the court on behalf of witnesses. If staff have directly witnessed the nuisance, they will provide personal evidence to the court, subject to legal advice.

13. VULNERABILITY

Vulnerability within the context of MHA's operations is comprehensively defined to encompass a range of factors that may impair a resident's ability to independently access, utilise, and benefit from the housing services provided. Vulnerability is recognised as both a condition and a situation, varying widely in nature and impact, and often intersecting with multiple aspects of a resident's personal and social life.

A sensitive approach towards dealing with ASB will be taken with respect to customers who are deemed to be vulnerable, including those who are disabled as defined by the Equality Act 2010, or who do not have English as their first language and who may require additional support when dealing with ASB issues either as a witness/victim or perpetrator.

MHA policy on Supporting Vulnerable residents' categorises vulnerability into several key types to guide staff in providing appropriate and customised support.

14. TRAINING AND SUPPORT FOR STAFF

MHA will provide support to staff who feel threatened or at risk from alleged perpetrators. This may include risk assessments, advice, counselling, and appropriate action being taken against perpetrators.

Incidents where staff feel threatened or at risk should be reported directly to their line manager, or a Senior Management Team member.



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MHA will ensure that staff are confident in identifying and investigating ASB incidents by providing appropriate training, refreshers and updates on relevant legislation. Staff awareness of this policy and procedure will be maintained through regular reviews in line with legislative up-dates and feedback.

15. CONFIDENTIALITY

We will always treat any sensitive or personal information given to us as confidential in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulations (GDPR) 2018, in line with MHA's General Data Protection Regulations Policy. We will only pass this information on to third parties such as statutory organisations if:

- We are required by law to do so - either for the prevention or detection of crime or the apprehension or prosecution of offenders.
- There is an information/data sharing protocol, contract, or confidentiality agreement in place.
- The person who gave us the information is happy for us to share the information. Our employees will always respect confidentiality and will not share any information given in confidence unless justified by the assessed risk to the vulnerable person or required by law.

16. EQUALITY AND DIVERSITY

As Bradford's only Black and Minority Ethnic (BAME) housing association, MHA is actively committed to promoting and embedding a culture of equality, diversity and inclusion. MHA is an organisation that values differences and enables individuals to be their authentic selves.

Our aims are for the organisation to be a leading voice for BAME communities, to be truly representative of all sections of society and communities we serve, and for each member of our staff, residents, and other stakeholders to feel respected and valued.

17. MONITORING AND REVIEW

We will monitor and review this policy in conjunction with customers to ensure its effectiveness and relevance to the Association's stated aims and objectives.

The Director of Operations has overall responsibility for the ongoing monitoring of the policy through the work of frontline staff, particularly those engaged in Neighbourhood Management. The policy will be reviewed every three years or sooner following significant legislative or regulatory changes or good practice requirements.



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Policy Name	Anti-Social Behaviour Policy
Date Approved by the committee	5 September 2024
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Next Review date	September 2027
Lead Officer	Director of Operations