



# Antisocial behaviour policy

## 1. Purpose and scope

This policy sets out our approach to deterring and tackling antisocial behaviour in our general needs and supported housing properties, as well as other buildings or land that we own, e.g. garage sites.

This policy applies to tenants, shared ownership, leasehold and care scheme properties and private owners, where the perpetrator or victim is a customer.

Where there are no tenancy obligations to rely on (in the case of leaseholders and shared owners or private owners) we will carry out an investigation and review case options with our legal adviser property and/or our solicitors before considering whether we can make an appropriate legal intervention.

## 2. Underpinning principles

The Housing Act 1996, as amended by the Anti-Social Behaviour Act 2003, requires social landlords to prepare and publish policies and procedures in relation to antisocial behaviour.

The Regulator of Social Housing Neighbourhood and Community Standard 2024 states that social landlords must have a policy on how they work with relevant organisations to deter and tackle antisocial behaviour in neighbourhoods where they provide social housing.

## 3. Policy details

### Definition

We will use the definition of antisocial behaviour set out in the Anti-social Behaviour, Crime and Policing Act 2014, Part 1, section 2, which is as follows.

*Meaning of "anti-social behaviour"*

- (a) *conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,*



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- (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.*

## **Dealing with reports of antisocial behaviour**

Reports of antisocial behaviour can be made to us by anyone affected by that behaviour.

We will adopt a harm/risk-based approach to reports of antisocial behaviour where victims will be at the centre of any actions we take. This victim centred strategy, which reflects how the behaviour is viewed by the victim, follows one of the recommendations made in the McPherson Report 1999. It reduces the risk of harm to vulnerable victims and repeat victims through early identification, a proactive approach and the provision of appropriate support.

We will act quickly and decisively and provide a professional and objective approach. However, we will only deal with cases where they meet the definition of antisocial behaviour as set out in this document. We will make it clear to customers where our role is, encourage residents to take greater responsibility for dealing with antisocial behaviour, and advise them about which agencies are responsible for dealing with the issues they are facing.

We will allow complainants whose identity is known to us to remain anonymous at their request, but if at any stage we cannot progress their complaint any further as a result of this they will be asked to give up their anonymity. However, we will not act on anonymous complaints, i.e. where we do not know who the complainant is.

## **What we will classify as antisocial behaviour**

The issues we will classify as antisocial behaviour (this is not an exhaustive list) are set out in appendix 1.

We will give priority to cases of hate crime because we recognise the impact that this offence can have on both individuals and communities, and the need to ensure that every person has a right to live in their home free from such behaviour.



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Modern slavery is a crime which encompasses slavery, servitude, forced or compulsory labour and human trafficking, and we will do everything we can to eliminate such activity where it is associated with our properties.

## **What we will not classify as antisocial behaviour**

The issues we will not classify as antisocial behaviour (this is not an exhaustive list) are set out in appendix 2.

Neighbour disputes, where two neighbours disagree about something can often become a source of distress and frustration, and it is common for both sides in a dispute to have done things to annoy the other person. However, such disputes are not classed as antisocial behaviour.

We expect a reasonable level of tolerance between neighbours, especially around the performance of everyday activities and the acceptance of different lifestyles. As a result, even though some behaviour may cause a nuisance it may not be treated as being antisocial, although we will provide appropriate advice and guidance.

## **Perpetrators who are not customers**

Where the perpetrator of antisocial behaviour is not a customer, we will take whatever actions are available to us to try and resolve the nuisance. However, we will also expect other agencies such as the police and local authority to use the powers available to them to try and resolve any issues.

## **Expected behaviour from our customers**

We hold customers responsible for the behaviour of every person living in or visiting their home. We also expect them to take responsibility for trying to resolve disputes with their neighbours by talking to them in the first instance.

We will encourage them to make use of mediation services, and to report issues that we cannot resolve to other agencies such as the police or the local authority.

## **Multi-agency cooperation, deterrents, tools and interventions**

There are a number of deterrents, tools and interventions available to



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landlords and agencies to deter and tackle antisocial behaviour, and these are set out in appendix 3.

We will work with other agencies, in particular the local authority and the police, to try and resolve issues of antisocial behaviour in our properties and neighbourhoods. This is particularly important when dealing with cases involving hate crime.

The Police and the Crown Prosecution Service (CPS) have agreed the following definition for identifying and flagging hate crimes.

*"Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity."*

*There is no legal definition of hostility so we use the everyday understanding of the word which includes ill-will, spite, contempt, prejudice, unfriendliness, antagonism, resentment and dislike.*

Criminal acts are the responsibility of the police or in some cases the local authority, and whilst there may be civil remedies available to us to deal with such acts (e.g. injunctions), we will only use them where restrictions such as bail conditions are not available to protect the victim.

In cases of serious noise nuisance, we will advise customers to report these to the local authority as they can take action under the Environmental Protection Act 1990 to stop the nuisance occurring (e.g. noise abatement notices).

## The Anti-social behaviour case review

This is used when someone has already reported the antisocial behaviour that they are experiencing but feels that the response has been inadequate and wants a review of their case. It involves everyone who has a responsibility to help solve antisocial behaviour problems meeting together, so that they can look again at a case and try to find a solution. It is not a replacement for agencies existing complaints procedures.



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## Information sharing

When sharing information with other agencies we will comply with our data protection policy, data sharing guidance document, data sharing agreement and any inter-agency information sharing agreements.

In Wiltshire we are signed up to the Wiltshire information sharing charter.

In Somerset we are signed up to the Somerset – One Team – Together Team Information Sharing Agreement and attendees at these meetings also sign a Confidentiality Statement.

In Bath & North East Somerset we attend police led local Antisocial Behaviour Multi-Agency Meetings where an Information Sharing Statement is either read out or made available to attendees.

## Service monitoring and improvement

The effectiveness of our antisocial behaviour service is monitored through the reporting mechanism on our housing management system. We are also committed to service improvements and improving the customer experience through staff training, increasing professionalisation, regular case reviews, customer feedback, consultation and engagement.

## 4. Signposting

- Anti-social Behaviour Act 2003
- Anti-social Behaviour, Crime and Policing Act 2014
- Childrens Act 1989
- Crime and Disorder Act 1998
- Data Protection Act 2018
- Deregulation Act 2015
- Environmental Protection Act 1990
- Equality Act 2010
- Housing Act 1985
- Housing Act 1988
- Housing Act 1996
- Housing Act 2004
- Human Rights Act 1998
- Localism Act 2011
- Modern Slavery Act 2015



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- Noise Act 1996 (Wiltshire Council have not adopted this Act)
- Police and Justice Act 2006
- Protection from Harassment Act 1997
- Public Order Act 1986
- Racial and Religious Hatred Act 2006
- UK General Data Protection Regulation
- United Nations Convention on the Rights of the Child 1989
- Pre-Action Protocol for Possession Claims by Social Landlords
- Allocation of accommodation: Guidance for local housing authorities in England 2012
- Chartered Institute of Housing – Make A Stand Pledge
- Homeless Code of Guidance for Local Authorities
- Housing Ombudsman Service – Antisocial Behaviour (ASB)
- Spotlight on: Noise Complaints Report – Housing Ombudsman Service – October 2022
- The Charter for Social Housing Residents – Social Housing White Paper – 2021
- Wiltshire information sharing charter
- Absolute Ground for Possession appeals procedure
- Antisocial behaviour CCTV policy
- Antisocial behaviour CCTV procedure
- Antisocial behaviour procedure
- Data protection policy
- Data sharing guidance
- Eviction procedure
- Lettings policy
- Safeguarding children policy
- Safeguarding children procedure
- Safeguarding vulnerable adults policy
- Safeguarding vulnerable adults procedure
- Single equalities and diversity policy
- Starter tenancy procedure

**Policy Review Date** – 26 February 2028

## **Appendix 1**

### **Issues we will classify as antisocial behaviour**

- ✚ Alcohol related incidents.
- ✚ Criminal behaviour.
- ✚ Drug use/substance misuse/drug dealing.
- ✚ Harassment/verbal abuse/threatening behaviour.
- ✚ Hate related incidents motivated by racial, sexual or other prejudices.
- ✚ Misuse of communal areas and public spaces.
- ✚ Modern slavery.
- ✚ Noise from domestic appliances, e.g. washing machines, vacuum cleaners, at unsociable hours (considered by local authorities to be between the hours of 11.00pm to 7.00am).
- ✚ Noise which is continuous and excessive.
- ✚ Nuisance from pets and animals which is continuous and excessive, e.g. continual dog barking.
- ✚ Nuisance from vehicles.
- ✚ Physical violence.
- ✚ Vandalism and damage to property.

## **Appendix 2**

### **Issues we will not classify as antisocial behaviour**

- ✚ Actions that may be thoughtless, inconsiderate or unpleasant.
- ✚ Arguments over gardens, hedges, trees and boundaries.
- ✚ Baby's crying.
- ✚ Children playing.
- ✚ Clashes of lifestyle, e.g. as a result of age, different working or sleeping patterns.
- ✚ Cooking smells.
- ✚ Gossip and staring.
- ✚ Infrequent and occasional loud noise and disturbances.
- ✚ Loud talking or laughing.
- ✚ Minor vehicle repairs.
- ✚ Noise as a result of poor building design and/or lack of sound insulation.
- ✚ Noise from domestic appliances, e.g. washing machines, vacuum cleaners, unless at unsociable hours (considered by local authorities to be between the hours of 11.00pm to 7.00am).
- ✚ Nuisance from pets and animals which is not continuous or excessive, e.g. occasional dog barking.
- ✚ One off events such as parties and barbecues.
- ✚ Parking issues.
- ✚ People moving around their home.
- ✚ Personal disputes.
- ✚ Untidy and/or overgrown gardens.

## **Appendix 3**

### **Deterrents, tools and interventions available to landlords and agencies to deter and tackle antisocial behaviour**

- ✚ Acceptable behaviour contracts.
- ✚ Anti-Social Behaviour Risk Assessment Conferences (ASBRAC) which form part of many Community Safety Partnerships.
- ✚ Antisocial behaviour strategies in Community Safety Partnerships.
- ✚ CCTV.
- ✚ Closure Orders.
- ✚ Community Protection Warnings and Community Protection Notices.
- ✚ Ensuring estates are maintained to a good standard.
- ✚ Environmental improvements.
- ✚ Good neighbour agreements.
- ✚ Information sharing.
- ✚ Injunctions.
- ✚ Involvement of social services.
- ✚ Local lettings policies.
- ✚ Mediation.
- ✚ Multi-Agency Public Protection Arrangements (MAPPA).
- ✚ Possession action.
- ✚ Pre-tenancy counselling where appropriate.
- ✚ Referrals to support organisations.
- ✚ Regular estate inspections.
- ✚ Rehousing.
- ✚ Restorative justice.
- ✚ Security measures.
- ✚ Undertakings to the Court



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## Decision-making record

Date	Meeting/Minute Reference	Version /Amendment
July 2008	Executive Team	1
July 2011	Executive Team	2
November 2011	Executive Team approved this updated version replacing the Racial Harassment Policy	3
16 January 2015	Leadership Team	4
11 March 2015	Adrian Walshe	5
8 October 2015	Verena Buchanan	6
4 July 2018	Selwood Housing Group Board	7
30 July 2018	Verena Buchanan	8
19 September 2018	Verena Buchanan	9
14 December 2021	Executive Team Updated, some issues clarified, some changes made to the wording, reference made to our domestic abuse policy and domestic abuse procedure, a section on the community trigger added, and a definition of hate crime added.	10
26 February 2025	Executive team Updated, amended to take into account issues regarding shared ownership, leasehold or care scheme properties and private owners along with the change of approach to managing neighbour disputes. Lists of what we will and will not classify as antisocial behaviour and deterrents, tools and interventions expanded and moved to form appendices, the information sharing section expanded and a few changes made to the wording.	11



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