



# **Anti-social Behaviour Policy 2022**



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<p><i>Approved by:</i> Nicky McKenzie</p> <p><i>Date of approval:</i> June 2022</p>	<p>Next Review Date: June 2024</p> <p><i>Version 1</i></p>
<p>To be read in conjunction with:</p> <ol style="list-style-type: none"> <li>1. Tenancy Sustainability Strategy</li> </ol>	<p>Contact Officer: James Clarke Area Manager</p>

## **1. Purpose and Context**

1.1 Northampton Partnership Homes (NPH) manage 11,376 properties on behalf of West Northamptonshire Council (WNC).

1.2 This Policy links into NPH's corporate objectives.

### Vision:

NPH provides homes which enable people to live happy and healthy lives in enriched communities.

### Mission:

We improve lives by sharing a common purpose.

We improve and maintain the quality of our homes.

We provide services which endeavour to meet the needs and aspirations of all tenants and residents.

We will provide the opportunity for people to influence the immediate and long-term futures for themselves and their communities.

### Values:

Open and strong

Listen and respond

Achieving more with others

Aim high and deliver

1.3 NPH are committed to both preventing and tackling Anti-social behaviour (ASB), and we recognise that it can have a devastating and significant impact on both individuals and communities.

1.4 Our policy ensures legal compliance under the Housing Act 1996 but also demonstrates NPH's commitment to addressing ASB, on the estates we manage.

1.5 ASB can take many forms and be wide ranging. The effects for those that experience such unacceptable behaviour can be long lasting and negatively impact on an individual's quality of life.

1.6 NPH take the issue seriously and have a dedicated team of specialist Tenancy Compliance Officers that deal with cases of ASB in addition to a team of Housing Support Officers who work with those that are vulnerable or require support.

1.7 We are committed to keep abreast of best practice and having highly skilled staff that can deal with instances of ASB efficiently and effectively.

1.8 ASB of any kind is unacceptable and will not be tolerated by NPH.

1.9 This Policy sets out our approach to the following:

- preventing, identifying the causes of, and tackling ASB
- supporting victims and witnesses
- tenancy sustainment
- partnership working
- the use of publicity

## **2. Policy Statement**

- 2.1 NPH seek to create sustainable and thriving neighbourhoods and communities that allow people from diverse backgrounds and cultures to co-exist in an environment of cooperation and respect.
- 2.2 We will not tolerate nuisance or anti-social behaviour directed towards tenants, leaseholders, their visitors, or any others engaged in a lawful activity in the locality of our homes, including our colleagues, contractors and others acting on our behalf.
- 2.3 We are committed to partnership and collaborative working to prevent, identify, and tackle the causes of ASB.
- 2.4 We are committed to delivering service of the highest standard, demonstrated through the ASB service being externally audited and formally accredited by Housemark.

## **3. Definition of ASB**

- 3.1 We use the same definition of ASB as set out within the ASB, Crime and Policing Act 2014.
- 3.2 ASB is defined as:
- a) Conduct that has caused, 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 residential premises, or
  - c) Conduct capable of causing housing-related nuisance or annoyance to any person
- 3.3 ASB can include but is not limited to:
- Alcohol related
  - Domestic abuse
  - Drugs / dealing / misuse
  - Garden nuisance
  - Hate related incidents
  - Litter / fly-tipping / rubbish
  - Other criminal behaviour to include prostitution
  - Pet and animal nuisance

- Physical violence
- Vandalism
- Vehicle nuisance
- Verbal abuse / harassment / intimidation
- Noise nuisance

### 3.4 Definition of Hate Related Incidents

Any incident which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.

### 3.5 Definition of Domestic Abuse

Domestic abuse is behaviour of one person towards another person, if both people are each aged 16 or over and are personally connected to each other, and the behaviour is abusive.

Behaviour is “abusive” if it consists of any of the following: Physical or sexual abuse; violent or threatening behaviour; controlling or coercive behaviour; economic abuse; psychological, emotional, or other abuse; and it does not matter whether the behaviour consists of a single incident or a course of conduct.

### 3.6 There are also examples of incidents that we will not consider to be ASB, and these include but are not limited to:

- Baby crying
- DIY at reasonable times and volumes
- Domestic appliances
- Normal household noise
- Children playing

## 4. **Policy**

### 4.1 This Policy has been written to take account of our responsibilities contained within relevant legislation and strategies to include:

- Housing Acts 1985 and 1996
- Equality Act 2010
- ASB, Crime and Policing Act 2014
- Tenancy Sustainability Strategy
- Safeguarding Policy

### 4.2 NPH is a partner of the Community Safety Partnership (CSP) and actively supports a range of measures, actions and activities aimed at detecting and preventing ASB. This includes things such as supporting Days of Action and Community Clean Ups.

- 4.3 We will signpost to diversionary activities available in local neighbourhoods to ensure youths are actively engaged and deterred from committing ASB or crime.
- 4.4 We will go into local communities and listen to residents and deploy our NPH Community Bus, to specific hotspots and undertake targeted campaigns and awareness sessions.
- 4.5 Although most of the ASB reports and casework we manage involve tenants that NPH manage we will investigate cases of different tenure to include leaseholders, privately rented and owner-occupied dwellings. Where we are unable to take specific action, we will explain the reason for this and signpost the reporter to the most appropriate organisation or partner.
- 4.6 We accept reports of ASB from anonymous sources and will investigate them accordingly. Anonymous reports may limit what action can be taken by NPH.
- 4.7 Reports of ASB can be made in a variety of ways to include:
- In writing
  - By telephone (both office hours and outside of office hours)
  - By email
  - By a Councillor or MP
  - By a third party
  - Anonymous
- 4.8 We aim to promote a spirit of tolerance, respect and being a good neighbour.
- 4.9 We will encourage reporters of ASB to consider self-help options in the first instance which means that if it is safe and appropriate to do so then you will be expected to talk to the subject of report in the first instance. Sometimes it is possible that matters can be “nipped in the bud” without our involvement.
- 4.10 We require all new tenants to sign a tenancy agreement which contains a robust clause about the expectations we have of tenants and what constitutes ASB. We also encourage all new tenants to sign a Good Neighbour Agreement which sets out a range of positive behaviours we and their neighbours should expect of them and vice versa.
- 4.11 We will reinforce our expectations at the 2 weeks settling in phone call from when the tenancy commenced.
- 4.12 All new tenants will be granted an Introductory Tenancy which we will extend by a further 6 months if it is appropriate to do so.
- 4.13 Tenants who commit ASB may be impacted regarding access to future housing with NPH or rights granted under their current tenancy, as outlined in WNC’s Allocations Policy.
- 4.14 We expect tenants to act responsibly and to show tolerance and respect to their

neighbours and their neighbourhood. We also expect them to be responsible for the behaviour of other members of their household, guests, and visitors to their property.

- 4.15 NPH takes a zero-tolerance approach to fire safety in communal areas, as outlined in the Fire safety policy.
- 4.16 We treat all reported incidents of ASB seriously and take a victim centred approach to ensure that support is available and offered. The support will be tailor made for the person's needs.
- 4.17 Reports of ASB are graded and response times therefore vary according to the grade.
- 4.18 We categorise ASB by one of the following:
  - Personal (dealt with by the Tenancy Compliance Team)
  - Community (dealt with by the Tenancy Compliance Team)
  - Environmental (dealt with by the area Housing Officer)
- 4.19 We will contact the reporter in accordance with the timescales set out in our published service standards.
  - 1 working day for Personal ASB
  - 3 workings days for Community ASB.
  - 5 working days for Environmental ASB.
- 4.20 All Environmental related ASB will be dealt with by the area Housing Officer team. Reports to their team can be made in the same way as other types of ASB and a housing officer will be allocated to investigate and make contact with the reporter.
- 4.21 For all Community or Personal related reports of ASB we will undertake a risk assessment with the reporter upon the first report of ASB and this will be reviewed depending upon the level of risk or if there is a significant change in circumstances.
- 4.22 We will complete an action plan with the reporter which will be reviewed by the Tenancy Compliance Officer with the reporter every 3 months, with a minimum of fortnightly contact.
- 4.23 We will agree the type and frequency of contact the reporter wants from the person investigating their report of ASB.
- 4.24 If a report relates to a dispute, we will make an offer of mediation to both parties and if accepted we will allocate the case to one of our trained and accredited mediators.
- 4.25 If there has been harm caused to one party and the other party acknowledges this, we will make an offer of coordinating a restorative conference for both parties.
- 4.26 If it is deemed that either the reporter or subject of report is vulnerable and requires support, we will in the first instance make a referral to our own Support team. Our service has been externally checked and accredited as being an "outstanding" service.

- 4.27 If you are allocated a Housing Support Officer, they will complete a support plan with you, and this will be reviewed with you on a quarterly basis.
- 4.28 We utilise in house noise monitoring equipment for reports of noise nuisance. Installation is voluntary and undertaken after assessing the relative priority determined against all other cases reported.
- 4.29 We use Closed Circuit Television (CCTV), as NPH recognizes its responsibility to provide an environment where, as far as possible, its residents can benefit from quiet enjoyment of their properties. CCTV may be erected to prevent or detect ASB or Crime.
- 4.30 We work in partnership with the victim support organisation, VOICE. If you are the victim of crime, serious or ongoing ASB, with your consent we will make a referral to them to offer you support.
- 4.31 We will support witnesses and victims of ASB through the legal process by offering a tour of the Court, explaining the trial process and if appropriate meeting our solicitor in advance of a trial.
- 4.32 We are committed to the prevention of homelessness and therefore will wherever possible seek to keep victims living in their homes safely whilst at the same time attempt to change the subject of reports behaviour, where it is appropriate and possible to do so.
- 4.33 We will offer low level target hardening which means we can agree to the installation of additional security measures such as letter box jammers, window alarms and extra locks to the home.
- 4.34 We will in exceptional circumstances offer temporary accommodation or a management transfer to the victim of serious ASB. This will normally mean where there is a credible threat to life or serious health and safety risk.
- 4.35 We provide an out of office ASB reporting line which allows a person to report ASB outside of normal office hours. This means the Tenancy Compliance team receives daily updates each morning before the business day commences.
- 4.36 We will thoroughly investigate reports of ASB and discuss with you the potential available options and choose the most effective one. We will in the first instance look at informal measures, however in the most serious incidents we will pursue the most appropriate and effective legal remedy.
- 4.37 We will always try to manage your expectations which may on occasion mean we tell you that your desired action by us is not appropriate. In determining any action we propose to take we will always consider whether it is justifiable, reasonable, and proportionate to the allegation of ASB made.

- 4.38 In determining the most appropriate course of action we will have due regard to the Equalities Act 2010 and Human Rights Act 1998.
- 4.39 The actions and powers that we will consider and can utilise in house include, but are not limited to:
- Good Neighbour Agreements
  - Tenancy Sustainment Contracts
  - Acceptable Behaviour Contracts
  - Injunctions
  - Notice of Extension
  - Demotion
  - Notice of Possession Proceedings
  - Notice of Seeking Possession
  - Possession Orders
  - Eviction
- 4.40 Eviction will always be the last resort, however in the most serious cases we will pursue this course of action if it is deemed to be both proportionate and reasonable to do so.
- 4.41 The actions and powers that we will consider and support partner agencies obtaining where appropriate, such as the police and local authority include, but are not limited to:
- Community Protection Warnings
  - Community Protection Notices
  - Criminal Behaviour Orders
  - Public Space Protection Orders (PSPOs)
  - Closure Orders
- 4.42 We will work in partnership with others where it is appropriate to do so for the purpose of prevention, detection and effectively managing ASB, crime and disorder. The partners that we will work with include, but are not limited to:
- Police
  - West Northamptonshire Council, to include Neighbourhood Wardens and Environmental Health
  - Adult and Child Services
  - Education
  - Mental Health Services
  - Third sector
  - Community Safety Partnership
  - Multi-Agency Public Protection Arrangements
  - Multi-Agency Risk Assessment Conference
  - Range of support providers
  - Community Interest Company -Happy to Help
- 4.43 We will work with other agencies and specialist organisations to ensure that we employ

methods of best practice and excellence to our service.

- 4.44 We hold Data Sharing Agreements with a range of partners and information will only be shared in accordance with them.
- 4.45 We will support subjects of report to modify or change their behaviour and comply with any positive requirements of a legal remedy such as Injunction.
- 4.46 In supporting a subject of report, we will ensure that the reporters needs are not overlooked or compromised.
- 4.47 When a subject of report is deemed to be vulnerable and in need of support, we will review our approach if they fail to engage with the support service or show no signs of potential improvement. In doing so we will ensure that any potential next steps or action taken is both reasonable and proportionate.
- 4.48 During an investigation there may be a number of reasons why we cannot take action. These could include:
  - All informal measures to resolve have been exhausted and it would not be reasonable or proportionate to take legal action.
  - Evidence is obtained that the incident did not happen
  - Insufficient evidence to prove the matter to the required standard of proof
  - The reported incidents are not deemed to be ASB
  - Unable to fully investigate due to a lack of cooperation from the reporter or witness
  - The ASB has stopped
- 4.49 We will close cases in a timely manner and ensure that they are not open longer than is reasonable.
- 4.50 We will confirm to you in writing when we are closing a case and seek your agreement beforehand, however if you disagree, we will record your reasons.
- 4.51 We will ensure that any items of risk to a child, young person or adult are raised as a safeguarding concern.
- 4.52 We will utilise NPH's case management system to identify repeat victims of ASB and consider holding a multi-agency meeting when someone has been a reporter of ASB 3 times or more in a 12-month period.
- 4.53 We will deliver our service in line with published service standards.
- 4.54 We will ensure that our service is accessible and inclusive for our diverse tenant base.
- 4.55 Where appropriate we will record and monitor diversity data to ensure the service is meeting the needs of the communities it serves.

- 4.56 We will ensure that any data held is managed in accordance with the principles of the Data Protection Act 1998 and the UK General Data Protection Regulation.
- 4.57 All information will be securely stored and for legitimate purposes only.
- 4.58 We will seek permission from the subject to share information when it is appropriate to do so, however we will not be able to preserve a subject's identity if the matter relates to when a crime has occurred or where they are a risk to themselves and others.
- 4.59 We will only share information where there is a legitimate obligation to do so.
- 4.60 We will make use of publicity when obtaining legal outcomes when it is deemed appropriate to do so and in the public's interest.
- 4.61 We will map and monitor reports of ASB to identify any trends or hotspots and target our resources accordingly.
- 4.62 When undertaking major improvement works to the estates and properties that we manage we will have due regard to ensure that we attempt to design out crime and create safe homes and neighbourhoods.
- 4.63 We are committed to delivering an excellent customer service and looking at introducing service improvements when it is practical and feasible to do so.
- 4.64 All our Tenancy Compliance Officers, Housing Officers and Support Officers have an individual training plan.
- 4.65 We will seek the views of service users by undertaking satisfaction surveys when a case is closed. We will also use customer feedback and complaints to review our service, make improvements and determine lessons to be learnt.
- 4.66 We will look to positively engage with residents of Northampton, to aid service improvements and will use a range of mediums to seek views and engagement.
- 4.67 We will strive to offer the highest level of service but if a reporter does not feel this has been met, we will respond to all complaints in line with the NPH Complaints and Feedback Policy.
- 4.68 We will notify reporters rights regarding the Community Trigger if they feel their reports of ASB have not been handled adequately by NPH or partnership agencies and they meet the relevant criteria.

## **5. Policy Arrangements**

- 5.1 An Equality Impact Assessment has previously been completed and it was determined that the Policy did not discriminate against any disadvantaged or vulnerable people.

- 5.2 This Policy is to be held on the NPH website and available for internal consumption.
  - 5.3 Key staff will receive refresher awareness of the Policy.
  - 5.4 The Policy has been shared with key stakeholders and partners.
  - 5.5 Compliance with regard to the Policy and procedure will be monitored through regular 1-1's with officers and regular case checks.
- 6. Review Date**
- 6.1 This Policy is to be reviewed bi-annually by the Area Manager and signed off by the Executive Management Team.
  - 6.2 The next review date will be June 2024. A review of the policy will take place before this date if legislation or working practices change.
  - 6.3 The Policy is available on the NPH website and the internal strategy and policy bookcase.