

ANTI-SOCIAL BEHAVIOUR (ASB) POLICY

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1. Policy Statement

- 1.1 Karibu seeks to maintain safe and peaceful neighbourhoods.
- 1.2 To achieve this we will take action to stop anti-social behaviour.
- 1.3 We will not tolerate anti-social behaviour and will take action to prevent and tackle anti-social behaviour which involves or is impacting on our tenants, employees, and anybody representing us, including our contractors.
- 1.4 We will investigate promptly and we will use a range of available remedies to deal with anti-social behaviour, which include enforcement and preventative measures. We will assess the seriousness of the anti-social behaviour and produce a response which is proportionate to the level of severity.
- 1.5 We will take an objective and professional approach when managing anti-social behaviour cases.

2. Defining Anti-Social Behaviour

- 2.1 There are a number of definitions of Anti-Social Behaviour, depending on the legislation being used. Generally, it involves activity that:
 - Can cause or is likely to cause harassment, alarm or distress to any person;
 - Can cause or is likely to cause nuisance or annoyance to a person's occupation of their residential home; or
 - Is capable of causing housing related nuisance and annoyance to any person which includes any officer, agent or contractor employed by Karibu.

3. Examples of Anti-Social Behaviour

- 3.1 Acts that may cause anti-social behaviour may include but are not limited to the following:
 - Hate related incidents (based on race, sexual orientation, gender, religion, disability and so on.
 - Violence or any threat of violence
 - Domestic abuse
 - Harassment of another person
 - Drug dealing
 - Illegal/immoral activity
 - Drunk and disorderly due to alcohol or drugs
 - Vandalism or graffiti
 - A regular pattern of disturbance/nuisance such as playing of loud music
- 3.2 Not every reported incident will be classed as anti-social behaviour. Acts that may not be classed as anti-social behaviour include, but are not limited to the following:
 - Disputes pertaining to differing lifestyles where it is not possible to prove a tenancy breach.
 - Disagreements between children

4. Categories of Anti – Social Behaviour

- 4.1 We prioritise anti-social behaviour into two categories. The category in which a case is included will depend on the severity of each case.

Category 1 – Response within one working day.

Category 1 cases are those which we assess to need urgent/immediate attention. Examples of category 1 cases are below, note this list is not exhaustive:

- Hate related incidents
- Arson
- Complaints of serious drug use/drug dealing
- Physical violence
- Child abuse
- Domestic violence
- Serious harassment

Category 2 – response time within three working days

Category 2 cases are serious cases, but in Karibu’s view do not need an immediate response. Examples of category 2 cases are listed below, note this list is not exhaustive:

- Alleged abusive or aggressive behaviour
- Verbal abuse
- Substance abuse
- Pet and animal nuisance

5. Cross Tenure Issues

- 5.1 This policy outlines guidelines on how Karibu will deal with anti-social behaviour within its General Needs, Leasehold and Shared Ownership properties.
- 5.2 Due to the differing nature of the accommodation, enforcement action will vary depending on tenure.

6. Expectation of Residents

- 6.1 We expect residents to live in their homes in a way that does not interfere with the peaceful enjoyment of others.
- 6.2 Residents are expected to be responsible for their own behaviour within the locality of the property and for the behaviour of members of their household and their visitors.
- 6.3 If appropriate, we would in the first instance encourage complainants to resolve differences themselves by way of personal resolution.
- 6.4 In the event it is necessary for Karibu to take action against a resident, it is our expectation that the complainant will assist us in compiling evidence, which would include completing diary sheets, witness statements and acting as a witness in court.

7. Victim/Witness Support

- 7.1 We will always consider the views of complainants, victims, and witnesses when we determine the course of action to take.
- 7.2 In some circumstances we may seek agreement from the complainant before we make any contact with the alleged perpetrator.
- 7.3 We will provide regular case updates to complainants, victims, and witnesses.
- 7.4 In some circumstances we may provide additional security to a property, such as additional locks etc.
- 7.5 If an individual is acting as a witness in court on behalf of Karibu, we will endeavour to provide support, including preparing them for what to expect at the hearing and in some circumstances arranging transport.

8. Anonymity

- 8.1 If a complainant requests that their identity is not disclosed, we will adhere to their wishes, but we will ask for the reasons for this request. We will also advise the resident in these

circumstances that any evidence which is anonymised to protect their identity will be weaker and may not be admissible at court.

- 8.2 If Information Sharing Protocols are in place, we do share information with other agencies to prevent or investigate anti – social behaviour. We would not disclose our resident/complainant's identity to a third party without gaining their prior consent.

9. Vulnerable Groups

- 9.1 Karibu understands that providing support to perpetrators of anti-social behaviour who are deemed to be vulnerable can reduce anti-social behaviour.

The following are examples of vulnerable groups:

- Drug and alcohol dependent
- Care Leavers
- Mental health issues
- Those with a physical disability

This list is not exhaustive.

- 9.2 Karibu supports vulnerable residents in a number of ways:

- Making a referral to another relevant agency such as Social Services or the Community Mental Health Team.
- Working as part of a multi-agency approach, attending groups such as Community MARAC.

10. Preventive Action

- 10.1 Karibu strives to prevent anti-social behaviour in a number of ways:

- Use the initial tenancy sign up meeting to explain the standard of behaviour expected as set out in the tenancy agreement.
- Using a starter tenancy which is a 12-month probationary period which provides the landlord greater power to deal with anti-social behaviour.
- Work with other agencies to provide support to the most vulnerable residents.

11. Non-Legal Remedies

- 11.1 Karibu may choose to use a non-legal remedy to resolve an anti-social behaviour issue. Any remedy of this nature will be selected if appropriate and proportionate to the individual case and type of behaviour in question. These remedies include:

- Acceptable Behaviour Contracts
- Warning Letter
- Mediation
- Parenting Agreements
- Meetings
- Working with other agencies such as the Police
- Personal Resolution

12. Legal remedies

- 12.1 If non-legal action is unsuccessful Karibu may consider taking legal action to resolve an anti-social behaviour issue. However, a decision to take legal action will depend both on the detail of a case but also on the available evidence. Legal action will be:

- A Civil Injunction
- Possession Action

12.2 There will also be situations when another agency may be able to undertake the most suitable remedy for a situation, for example, a Closure Order of premises by the Police. In this type of case, we would work to support the action of the outside agency concerned.

12.3 Karibu takes into consideration the Human Rights Act and Equalities Act 2010 when determining the course of action it will take.

13. Multi-Agency Work

13.1 Karibu is aware that there are occasions when a multi-agency approach is needed to develop an effective strategy to resolve some anti-social behaviour cases. Below are listed the agencies we would generally expect to work with:

- Police
- Social Services
- Other Social Landlords
- Voluntary Agencies
- Some local authority services, such as Environmental Health

14. Information Sharing and Confidentiality

14.1 Karibu will follow the legal conditions relating to the personal information as set out in the Data Protection Act 1988.

14.2 The rules around the Data Protection Act relating to non-disclosure of personal information do not apply when information is needed for existing or future court proceedings, including proceedings in the criminal court.

15. Media Strategy

15.1 We may publicise successful actions against those involved in anti-social behaviour.

16. Equality and Diversity

16.1 We are committed to delivering services appropriate to the needs of all residents. We will treat others fairly and without discrimination.

16.2 We will ensure our services in relation to this policy are accessible and available for all as set out in the Equality Act 2010.

17. Dissatisfaction with case management

17.1 Karibu is aware there may be occasions when there may be dissatisfaction in how a case has been managed. A case will be reviewed if a formal complaint as part of the complaints process has been submitted.

18. Legislative context

Anti-Social Behaviour Crime and Policing Act 2014
Housing Act 1985, 1998, and 2004
Anti-Social Behaviour Act 1998
Equality Act 2010