

## Anti-Social Behaviour Policy

<b>Operating Company:</b>	Aster Group		
<b>Approved by:</b>	<i>Customer &amp; Community Network</i>		
<b>Effective date:</b>	01/09/2018	<b>Review date:</b>	01/09/2020
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### 1 Introduction

#### 1.1 Aim

- 1.1.1 This policy outlines the key principles our customers and colleagues can expect Aster to apply in dealing with anti-social behaviour (ASB) in our communities.
- 1.1.2 Aster aspires for all our communities to be places where people want to live. We recognise that people feeling safe in their home is important to how they feel about where they live.
- 1.1.3 Aster accepts that everyone has a right to their chosen lifestyle providing this does not spoil the quality of life for others. Aster has an important role in ensuring that such rights and obligations are managed effectively. Tackling ASB and nuisance is essential in achieving this outcome. This policy aims to prevent and reduce harm caused by ASB to individuals and communities.

#### 1.2 Scope

- 1.2.1 This policy covers all customers, employees, stakeholders and our communities affected by ASB which falls within our area of responsibility.

#### 1.3 Corporate Plan

- 1.3.1 This policy supports the following strategies:

- Corporate Strategy 2018/19
- Landlord Strategy
- Growth Strategy

#### 1.4 Outcomes/Benefit(s)

- 1.4.1 We will measure outcomes and benefits by:

- Ensuring that key performance indicators are met.
- Reducing the risks of reputational damage and serious detriment findings as a result of non-compliance with regulatory standards.
- Increasing the number of customers who are satisfied with how they accessed the ASB service.

## 1.5 Compliance Framework

1.5.1 Aster continues to monitor and review the relevant legislation in tackling ASB. Particular attention is paid to the following legislation and regulations in relation to this policy:

- Housing Acts 1985 and 1996
- Housing and Regeneration Act 2008
- ASB Crime and Policing Act 2014
- Equalities Act 2010
- Mental Capacity Act 2005
- The Care Act 2014
- The Regulator for Social Housing – The Consumer Standards

## 2 Policy statement

2.1 Aster has adopted the Housing Act 1996 definition of ASB:

*“engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to persons engaged in lawful activities”*

2.2 Aster has adopted the Chartered Institute of Housing ASB Case Management Principles.

2.3 Aster will make it absolutely clear to our existing and prospective customers that ASB is unacceptable and if it arises it may lead to action being taken against them.

2.4 Aster encourage a wide range of available methods for reporting ASB, which include written correspondence, telephone, e-mail, in person and on-line reporting.

2.5 Aster adopts a harm centred approach to managing ASB, using the following principles and supported by an operational procedure:

- Assessing impact assessment on all new reports of ASB.

- Action planning with the complainant to resolve the problem, and agreeing a communication strategy with the complainant.
- Triaging low impact cases allowing priority focus on high impact victims.
- Encouraging complainants in low impact cases to speak with their neighbours where appropriate and safe to do so which can resolve matters more effectively. We understand that this may not be appropriate in some circumstances.

2.6 We will only become involved in matters where we are satisfied our intervention is appropriate and will resolve the issue(s). We will not deal with matters which we consider to be:

- A difference in lifestyle.
- Entrenched personal disputes.
- Unintentional behaviour of children.
- One off, low risk incidents.
- Reports that are not supported by evidence.

2.7 We will be clear with customers that our response will be limited if they do not engage meaningfully with the reporting process.

2.8 We will balance our right to intervene in the lives of our customers with their right not to be subject to unnecessary intrusion from their landlord.

2.9 Aster will work to minimise ASB through preventative action and will develop and maintain effective partnerships with local and national agencies with whom we can collaborate in tackling ASB.

2.10 Aster will be clear that whilst we work in partnership, our role is that of the landlord. The police, local authorities and other statutory agencies may be best placed to lead on an investigation.

2.11 Aster will follow the ASB procedure when managing cases of ASB, and will be encouraged to treat each case individually. This means that not all cases will involve the same actions, but each action will follow a proportionate and reasonable response to the problems identified within the case.

2.12 Staff dealing with cases of ASB have and will continue to receive regular specialist training which gives them the skills and knowledge to tackle ASB effectively.

2.13 Aster will ensure that reasonable and appropriate support is provided to victims and witnesses.

2.14 Aster will ensure that preventative measures and early interventions are considered at all case stages.

2.15 Aster has a responsibility to make referrals to specific agencies if a safeguarding concern is raised. Aster has a Safeguarding Policy which deals with safeguarding concerns and this will be referred to if any staff member has concerns about a vulnerable adult with care and support needs or a child.

2.16 Aster's aim is to resolve all cases of ASB and we will close cases of ASB in the following circumstances:

- When we have successfully resolved the ASB in agreement with the complainant.
- When we have investigated the ASB case and have not been able to resolve the issue, but there are no more available options.
- When we believe there is no ASB occurring, and the case needs to be closed.
- When another agency is dealing with the case and no longer requires involvement by Aster.
- When action has been taken, and this has solved the ASB.
- When the complainant fails to assist in providing evidence to Aster, and we cannot take further action.
- If we believe the ASB complaint to be vexatious.

2.17 ASB Officers, ASB Service Managers and Heads of Housing have delegated responsibility to complete and sign all court paperwork when applying for injunctions or possession, and to litigate in person on behalf of Aster at court.

### **3 Policy Implications**

#### **3.1 Service/Performance Standards**

3.1.1 Aster is committed to monitoring and improving its performance in managing and resolving ASB. Monitoring will include:

- Monthly performance reporting.
- Benchmarking our service against other Registered Providers.
- Reviewing the customer experience from surveys with those who have accessed the ASB service.
- Service standards specific to ASB will be reviewed and published, which will confirm the length of time complainants should expect a response to their report, the frequency of contact, what response to expect when reporting and how to access the service.

- Complainants who are not satisfied with our reasons for closing the case can refer to our Complaints Policy if they wish to make a complaint.
- An Equality Impact Assessment has been completed, which outlines Aster's approach to Equality and Diversity when delivering the ASB Service.

### 3.2 Risk

- 3.2.1 Failure to act, litigate or inadequate decision making on high risk cases, would place Aster at risk of financial penalty, reputational damage and finding of serious detriment.
- 3.2.2 Non-compliance of this policy place Aster at risk of regulatory intervention.

### 3.3 Confidentiality and data protection

- 3.3.1 We will explain to complainants the importance of the processes in dealing with ASB, and it may be necessary to disclose information to other relevant agencies. Aster has signed up to various information sharing protocols with partner agencies.
- 3.3.2 Information will be shared with other agencies, where there is a duty to do so, and/or where information-sharing protocols are in place.
- 3.3.3 Section 115 of the Crime and Disorder Act 1998 allows Aster and partners to share information for the purpose of preventing and detecting crime and disorder.
- 3.3.4 We recognise that confidentiality is important to develop a relationship of trust with complainants and we ensure that any information provided will be kept in the strictest confidence.
- 3.3.5 We will not reveal the identity of any person unless permission is obtained beforehand.

## 4 Related Policies and Procedures

- 4.1 There are a number of related policies and procedures listed below, which is not an exhaustive list:
  - ASB procedure (including Domestic Abuse guidance)
  - ASB Equality Impact Assessment
  - Safeguarding policy
  - Complaints policy
  - Health and Safety policy
  - Lone Working policy
  - Tenancy policy

- Section 21 Notice procedure
- SAFE procedure
- Eviction procedure
- Equality and Diversity policy
- Unreasonable Complainers Guide