



No.	69
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1. Purpose

Section 218A of the Housing Act 1996 places a duty on social landlords to prepare a policies and procedure to deal with anti-social behaviour. This policy provides a framework on how Nehemiah Housing will work towards preventing and tackling anti-social behaviour when it occurs.

2. Policy Statement

Nehemiah is committed to ensuring that all our tenants enjoy their right to peace, quiet and security in their homes and neighbourhoods. We take the report of ASB (Anti-Social Behavior) seriously. We know that dealing with Anti-Social Behaviour can be complex and requires a multi-agency response.

We will support tenants affected by ASB, including by signposting them to agencies who can give them appropriate support and assistance to vulnerable alleged perpetrators. Nehemiah recognise that with the right support and intervention, may help prevent further complaints of ASB.

Nehemiah is committed to tackling anti-social behaviour as it recognises that anti-social behaviour is damaging within communities and that the lives of customers and their families can be blighted by the behaviour of an unreasonable minority. Nehemiah's mission is *'to build successful, sustainable, and diverse communities by providing housing and wellbeing services in a culturally sensitive way to our current and our future customers.'*

If you feel threatened, intimidated, or witness a crime, you should always contact the police first. You can contact the police by calling 999 to report emergencies or calling 101 for non-emergencies. To ensure we offer the right support to our tenants we will carry out a vulnerability assessment on both tenant and alleged perpetrator, (if they are both Nehemiah tenants). This means we will proactively work towards identifying vulnerabilities when an ASB complaint is raised. ASBs (Anti-Social Behavior) can be reported to us via phone, in writing or in person or via a third party (family, friend or support agency).

Nehemiah is committed to preventing and tackling anti-social behaviour and has signed up to the Respect – ASB Charter for Housing. We will work with partners and communities to tackle the causes of anti-social behaviour, by using preventative and early intervention measures where behaviour does not change, we will use the full range of enforcement tools appropriately, protecting victims and witnesses.

Putting the victim first

Nehemiah is committed to ensuring the victim has a say in the way complaints of anti-social behaviour is dealt with and ensure their voice is heard.

3. Scope of Policy

For the purpose of this policy, anti-social behaviour includes harassment and hate crime/incidents.

This policy applies to all our tenures living in a home owned or managed by Nehemiah Housing, which includes general needs, supported and housing for older people schemes, service users and shared ownership properties. It also

applies to staff and contractors where Nehemiah Housing tenant/service user perpetrates the anti-social behaviour, or a person(s) associated with Nehemiah tenant/service user.

4. Definition of Anti-Social Behaviour

Anti-social Behaviour, Crime and Policing Act 2014

Meaning of “anti-social behaviour”

- (1)** In this Part “anti-social behaviour” means—
 - (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 of residential premises, or
 - (c)** conduct capable of causing housing-related nuisance or annoyance to any person.
- (3)** In subsection (1)(c) “housing-related” means directly or indirectly relating to the housing management functions of—
 - (a)** a housing provider, or
 - (b)** a local authority.
- (4)** For the purposes of subsection (3) the housing management functions of a housing provider or a local authority include—
 - (a)** functions conferred by or under an enactment;
 - (b)** the powers and duties of the housing provider or local authority as the holder of an estate or interest in housing accommodation.

(Source: <https://www.legislation.gov.uk/ukpga/2014/12>)

In summary: Anti-Social Behaviour, Crime and Policing Act (2014), ASB is classed as:

- Behaviour that has caused, or is likely to cause, harassment, alarm, or distress to any person
- Behaviour capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- Behaviour capable of causing housing-related nuisance or annoyance to any person.

What is not considered Anti-Social Behaviour

Nehemiah understands that sometimes everyday living noise and activities can be annoying, but unless it is excessive or unreasonable it would not be considered anti-social behaviour. To handle noise reports that do not meet the statutory threshold, we will adopt a proactive good neighbourhood management approach, which sits outside of this ASB Policy, with clear options for maintaining good neighbourhood relationships. This will include mediation, an

approach that should work better because it can be identified and addressed as part of an early intervention before the relationship between neighbours deteriorates.

Examples include:

- Children playing
- Day-to-day household noises such as: toilets flushing, doors banging, vacuuming, washing machines and walking on hard floors.
- Mowing the lawn.
- Occasional dog barking

Nehemiah understands that families and couples may disagree from time to time. So, if tenants hear their neighbours having an argument (infrequently), this is unlikely to be deemed anti-social behaviour. However, we would encourage customers to report any immediate concerns about someone's safety to the police. When we investigate noise nuisance, we will take into consideration the location, time, and frequency.

Other examples of anti-social behaviour include:

- Intimidation and harassment, this includes verbal and physical abuse.
- Aggressive and threatening language and behaviour.
- Hate-related behaviour and/or incidents that target members of identified groups because of their perceived differences (e.g., race, sexual orientation, gender, disability, religion, age, and faith).
- Domestic abuse (including psychological, physical, sexual, financial, or emotional abuse).
- Using homes to sell, grow/cultivate drugs, or for other unlawful purposes (The tenant or any other person residing in the dwelling-house has been guilty of conduct, which is a nuisance or annoyance to adjoining occupiers, or has been convicted of using the dwelling-house or allowing the dwelling-house to be used for immoral or illegal purposes. Source: <https://www.legislation.gov.uk/ukpga/1988/50/schedule/2/enacted>)
- Vandalism and damage to property, (which includes graffiti and criminal damage)
- Nuisance from vehicles, (inconsiderate or dangerous parking and abandoned cars.)
- Actual violence against people and property or land.
- Drug misuse, alcohol-related nuisance, and prostitution.
- Nuisance caused by pets and animals, (dog fouling, uncontrolled and noisy pets).
- Untidy gardens, dumped rubbish, lack of care for homes or communal areas.
- Dog fouling, uncontrolled and noisy pets.
- Cuckooing (when someone's home is taken over to sell drugs.
- Noise nuisance at high levels or unreasonable hours, (source of noise will determine if the case is an ASB caused by other tenant or as a result of day-to-day living (household noise).
- Environmental health issues such as rubbish dumping
(*Please note this list is not exhaustive*).

5. Our Policy

Nehemiah's approach to dealing with anti-social behaviour is based around the principles within the Anti-social behaviour, Crime and Policing Act 2014:

- **Focusing the response to anti-social behaviour on the needs of victims** – working with other agencies to identify and support people at high risk of harm. With flexible approaches Nehemiah aim to deliver solutions that will work.
- **Empowering communities to get involved in tackling anti- social behaviour** – by agreeing shared actions with residents and partners, to develop safe communities where anti-social behaviour is recognised as unacceptable and dealt with. Customers should be encouraged to report any criminal activity to the police.
- **Ensure professionals are able to protect the public quickly** – through the appropriate use of the legislation that could include an action for possession of the perpetrators' home as the last resort.
- **Focus on long-term solutions** – working with partners to address the underlying issues that drive anti-social behaviour, such as binge drinking, drug use, mental health issues, troubled family backgrounds and irresponsible dog ownership.

i. Tenancy Conditions

Nehemiah expects its customers to comply with the terms and conditions of their tenancy agreement and to ensure that their actions and those of their family or visitors do not breach these by engaging in anti-social behaviour. Nehemiah relevant tenancy agreement clauses are:

Use of Premises

To use the Premises for residential purposes as the Tenant's only or principle home and not to:

- (i) *Operate any business at the Premises that might cause a nuisance or annoyance to other persons in the neighbourhood.*
- (ii) *Use or allow the Premises to be used for any immoral or illegal purpose.*
- (iii) *Use any equipment operated by butane gas or store butane gas bottle.*
- (iv) *in the premises.*

Nuisance

Neither to cause, or act in a way which is likely to cause, nor allow members of his or her household or visitors to cause, or act in a way which is likely to cause, a nuisance or annoyance to other persons in the neighbourhood or to any

tenant, agent, employee, or contractor of the Association.

Racial and Other Harassment

Neither to commit, nor allow members of his or her household or visitors to commit, any harassment, or threat of harassment, on the grounds of race, colour, religion, sex, sexual orientation, age, or disability that may interfere with the peace and comfort of, or may cause offence to, other persons in the neighbourhood or to any tenant, employee, agent, or contractor of the Association.

Noise

Neither to play nor allow to be played, any radio, television, record or tape recording, musical instrument, or digital music player so loudly that it causes, or is likely to cause, a nuisance or annoyance, at any time, to other persons in the neighbourhood.

Pets

- *Not to keep any animals registered under the Dangerous Wild Animals Act 1976 or the Dangerous Dogs Act 1991 (amended in 1997) at the Premises.*
- *To keep under control any pet(s) at the premises and not to keep any pet(s) that might cause a nuisance or annoyance to other persons in the neighbourhood.*

ii. Early Intervention and Prevention of Anti-social Behaviour

Customers will be told at the application stage that they are expected to be a good neighbour and the conduct expected of them will be explained. This will include the need for tolerance towards others. Our policy on anti-social behaviour will be discussed with all new customers at the tenancy sign-up stage, along with further information on how to tackle or report an ASB incident.

- Nehemiah will give honest advice on how our customers can deal with disputes with their neighbours, explaining what we can and cannot do and what they will need to do to resolve issues and problems.
- We will encourage our customers to speak to their neighbours where appropriate to try and resolve matters themselves. Where it is appropriate Nehemiah will offer mediation to help customers resolve disputes.
- We will work with other agencies where appropriate to ensure that the appropriate level of support needed by individual customers to sustain a tenancy is available.
- We will work with other agencies where appropriate to obtain support for

parents to improve parenting skills and signpost accordingly.

- We will work with other agencies where appropriate to contribute to the provision of diversionary activities to engage young people positively. Where a local authority engages in Family Intervention Projects and the Troubled Families Programme, Nehemiah will assist in providing support where possible.
- Nehemiah will participate in strategies on anti-social behaviour introduced by local authorities and the Police. We will work in partnership with relevant agencies (for example: safer estates, LPDG, BSHP (Birmingham Social Housing Partnership) community safety and ASB practitioners' meetings) to develop sustainable estates where anti-social behaviour is not tolerated.
- Nehemiah will promote and support the formation of Neighbourhood Watch Groups.
- Nehemiah will work to '**Secured by Design**' standards where possible on all new developments and incorporate these principles in refurbishment schemes.

iii. **Information for Customers**

Nehemiah will give customers honest advice about what we can and cannot do and what they will need to do to put a stop to the problems they are experiencing. We will publish information on how to contact us to report anti-social behaviour, what information we will need and the service standards that our customers can expect from us in dealing with reports of anti-social behaviour. We will provide our customers with a named contact responsible for dealing with their report. If we identify anti-social behaviour, we will agree an action plan which will include what Nehemiah will do, what the customer needs to do and outline the process for dealing with reports of anti-social behaviour.

iv. **Support for Complainants**

The following are examples of how Nehemiah will support victims and witnesses of anti-social behaviour:

- **Regular contact** – the housing team will be in regular contact with complainants to make sure that as many of their needs are being met as possible and to provide feedback on the progress of dealing with the anti-social behaviour. The frequency of the contact will be based on the seriousness of the incident and by the vulnerability of the complainant in relation to the specific incident. For more complex cases, external support will be pursued if deemed necessary. This will be agreed with the complainant and staff member investigating the ASB incident. Please refer to the ASB procedures in Appendix 1 of this document for the process and further clarification.

- **Victim Support** – Nehemiah can provide contact details of Victim Support who in turn can provide support and guidance for victims of crime.
- **Referrals to Other Agencies** - Nehemiah can make referrals to agencies that provide specialist advice and support such as the Citizens Advice Bureau, the Police, Mediation services and local authorities.
- **Support During Legal Action** – If a customer needs to attend court, we will agree with them about what support is necessary. For example, we can arrange transport and stay with customers during Court proceedings and help with childcare costs. In extreme cases where there is a risk to a customer's safety, we may be able to help with alternative accommodation, on a temporary or permanent basis depending on the circumstances of the case.
- **Additional Security Measures** – In cases where a victim/witness is felt to be at risk of reprisals, either against themselves or their property, Nehemiah will be considering providing additional security measures if a referral is made by statutory organisations, i.e., police and social services. This can include fitting window locks, security lights, provision of a panic alarm or an emergency calls only mobile phone, for example.
- **Police Protection** – If there is a risk of violence, we will work with the Police who can support complainants in preventing complainants from being further intimidated.

v. **Remedies for Dealing with Anti-social Behaviour.**

Nehemiah will use a range of options, depending upon the nature of the case, to resolve the anti-social behaviour, which could include any of the following:

Non-Legal Action

- **Interview** - Depending on the situation Nehemiah will interview the person that the allegation has been made about to ensure that they are given an opportunity to change their behaviour. This will be necessary before more formal action is taken.
- **Mediation** – Mediation can be an effective way of resolving an issue by bringing all parties together. It can be particularly helpful in resolving neighbour disputes. Where appropriate, mediation will be offered to the parties involved in order to try to achieve an understanding of the issue in order to enable both sides to move towards a solution to the complaint. We engage the services of a trained mediator who remains impartial throughout the process.
- Warning letters will be issued in line with our procedure. These will vary depending on the seriousness of the incident. Once a warning has been given then if the ASB continues within 3 months, the matter is escalated to

the other stages e.g., 2nd/3rd warning/ABC/legal action.

- **Acceptable Behaviour Contracts (ABC)** An Acceptable Behavior Contract is a voluntary written agreement between a person who has been committing ASB and us as your landlord. – If appropriate we will invite the person committing the anti-social behaviour to sign a voluntary written agreement with, Nehemiah and in some circumstances other agencies involved in dealing with the anti-social behaviour such as the Police. This type of agreement can be considered where the person/s who has committed anti-social behaviour has expressed genuine willingness to change their behaviour, (if refuse, tenant will be advised that we will follow our procedure relating to tenant breaching tenancy agreement).
- **Parenting Contracts** – are a supportive measure that provides a structured and balanced way for agencies to work with parents on a voluntary basis to improve the behaviour of a child or young person up to the age of 17. This would involve voluntarily signing a written contract between the parent, Nehemiah and other agencies involved. The contract will normally require the parent to engage in a parenting programme and/or specify particular ways in which the parent is required to exercise control over their child's behaviour.

Legal Action

Nehemiah will consider legal action if all other means of resolving the complaint have failed. Where anti-social behaviour is very serious, we may start legal action straightaway.

- **An injunction** is an order from the County Court requiring a person to do something or prevent them from doing something. An injunction will usually be the first form of legal action that Nehemiah will consider after informal action has failed. An injunction can be granted if the court is satisfied on the balance of probability that the Respondent engaged or threatened to engage in anti-social behaviour. The second condition is if it is just and convenient to grant the injunction for the purpose of preventing the Respondent from engaging in anti-social behaviour. We will work with other agencies such as mental health support professionals and drug and alcohol support services to provide support services to supervise compliance with the positive terms of an injunction. Injunctions can be used for adults and minors.
- **Demotion of a Secure Tenancy** – is a court order reducing the tenancy rights of a person responsible for anti-social behaviour for a period of 12 months. Demotions will be sought where Nehemiah believes that somebody will respond to such an incentive to change their behaviour.
- **Possession Proceedings** – we will make an application for a possession order asking the Court to end the tenancy of a customer who is acting in an anti-social manner or whose visitors are acting in such a manner, where the behaviour of the tenant/their visitors is serious enough and/or where other methods of controlling the behaviour has been tried and failed. We will therefore only use possession proceedings as a last resort.
- **Ending an Assured Shorthold Tenancy and Starter Tenancies** – Assured

shorthold tenancies are issued to customers living in our housing schemes. Where the tenant breaches their tenancy agreement during this time and their behaviour does not change then Nehemiah may end the tenancy by serving a Section 21 Notice. Please note eviction is the ultimate sanction and we will pursue this as a last resort, where we believe no other action will be achievable to resolve the anti-social behaviour.

vi. Multi Agency Partnerships

Nehemiah recognises that tackling the complex issue of anti-social behaviour is not the sole responsibility of the housing provider and cannot be dealt with alone.

Nehemiah works with other agencies in the local Community Safety Partnership (CSP). We also liaise with and work in partnership with multiple agencies across the local authorities that we work in, such as safer estates, LPDG, BSHP community safety and ASB practitioners' meetings. We have service level agreements with some of these groups. We also have a strong relationship with the local police teams and connections made with other social landlords.

- Local authorities
- Police force covering the area.
- Fire Service
- Probation Service
- Clinical Commissioning Groups
- Community and Voluntary Groups
- Social Housing Partnerships or Housing Associations who are co-opted into local arrangement.
- Private landlords.
- Health authority which covers GP, social services etc....

Nehemiah will be guided by the relevant Community Remedy Documents produced by the Police when identifying solutions to anti- social behaviour issues.

6. Customer Feedback

In order to monitor how we deal with anti-social behaviour we will aim to obtain feedback from 20% of complainants at the end of their case about their experience of reporting anti-social behaviour to Nehemiah. We will use the information collated in this survey to continually evaluate and improve the anti-social behaviour service and will include the survey outcomes in our performance reports to the Operations Committee and our customers.

7. Data Protection and Information Exchange

Nehemiah will make use of section 115 of the Crime and Disorder Act 1998 and The General Data Protection Regulation (GDPR) which came into force in the UK (and across the EU) on 25 May 2018. The GDPR, which replaces the Data Protection Directive (95/46/EC), aims to strengthen the security and

protection of personal data in all Member States.

Nehemiah will ensure Data is processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

8. Training and Support for Staff

Nehemiah will ensure that employees dealing with anti-social behaviour have received the appropriate training and support to enable them to deal effectively and confidently with the issues presented. ASB Policy awareness training is included in all new staff induction, and refresher training for current staff in line with any amendments to this policy.

9. Monitoring and Review

Quarterly reports will be made to Nehemiah's Operations Committee and Board to monitor the effectiveness and success of the policy. We encourage all our tenants to be part of the review process, with an emphasis on tenants who have recently raised an ASB complaint. The policy will be reviewed every 3 years or sooner if legislation or good practice dictates.

10. Legislation

- Anti-Social Behaviour, Crime and Policing Act 2014 (amendment order 2019) (This includes two measures created to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with, and to help ensure that victims 'voices heard).

Section 8 of the Housing Act 1988, (if a notice seeking possession is served, relying on Ground 14 (Anti-social behaviour) then possession proceedings can be issued immediately upon service of the notice (unless Ground 7A is also being relied upon).

Housing Act 2004 (gives landlords of secure tenants the right to refuse mutual exchange applications if action has been taken against the household on anti-social behaviour grounds or if such action is pending

- Anti-social Behaviour Act 2003
- Anti-social Behaviour Crime and Policing Act 2014
 - Anti-social Behaviour Crime and Policing Act 2014 Statutory Guidance
 - Crime and Disorder Act 1998
 - Equality Act 2010
 - Gang Injunctions (Part 4 Policing and Crime Act 2009 as amended by

[Serious Crime Act 2015\) Factsheet](#)

- [Housing Act 1985](#)
- [Housing Act 1988](#)
- [Housing Act 1996](#)
- [Injunctions to Prevent Gang-Related Violence and Gang-Related Drug Dealing A Practitioners' Guide \[ARCHIVED\]](#)
- [Offensive Weapons Act 2019](#)
- [Stalking Protection Orders - Statutory guidance for police](#)
- [Statutory Guidance - Injunctions to Prevent Gang-Related Violence and Gang-Related Drug Dealing \[ARCHIVED\]](#)

11. Case Review (appeal process)

The appeal process Case Review (formally known as community trigger). The Anti-Social Behaviour, Crime & Policing Act 2014 introduced specific measures to improve the way in which agencies work together to tackle anti-social behaviour (ASB). These include ways of giving victims a greater say in how ASB is dealt with. The ASB Case Review gives victims of ASB or hate crimes the right to request a case review if they are not satisfied with how their case has been handled.

Nehemiah will work with relevant agencies when review is requested to ensure all relevant information is provided to assist in tenant's case review. When a decision is made and actions are recommended by review panel, Nehemiah will consider these recommendations in line with relevant policies and procedures. If a recommendation is deemed as not in line with Nehemiah's approach, a representative will discuss the matter with the review panel.

When can I use the ASB Case Review? If you (or others) have reported an incident three or more times within a 6-month period, you can activate the Review through your Local Authority (LA).

How you can use the ASB Case Review: The case review protocol will be processed in line with the local authorities so it may differ. Applications may either come directly from the victims of anti-social behaviour or from a third party (with the victim's consent) such as a family member, friend, or local elected representative (councilor or MP). Click on the Local Authority area link and follow the process to activate a case review:

- [Birmingham City Council](#)
- [Dudley Metropolitan Borough Council](#)
- [Sandwell Council \(The Anti-Social Behaviour Case Review | Sandwell Council \)](#)
- [Walsall Council](#)
- [Wolverhampton City Council](#)
- www.coventry.gov.uk/community-safety-crime/community-trigger
- For more guidance refer to government guidance link:
<https://www.gov.uk/guidance/anti-social-behaviour-asb-case-review-also-known-as-the-community-trigger#the-process>

You can also get help and advice from organisations such as:

- [ASB Help](#) - they also have a [Pledge](#) requesting local agencies to incorporate ASB Help best practice guidance into their internal anti-social behaviour case review policies and procedures
- [Resolve](#)
- [Victim Support](#)
- [Local Government Association](#)
- [The Knowledge Hub](#) - the National Police Chief Council's Knowledge Hub facilitates antisocial behaviour best practice, case studies and information sharing for forces - forces may see benefit in creating an account and using this to assist with their work in preventing and tackling antisocial behaviour and to seek advice on antisocial behaviour issues in their area.

What happens next: Each Local Authority will have a process that will be made clear when you click on their website. In all cases there will be a multi-agency case review that involves various agencies. The aim of the ASB Case Review is more of an attempt to fix the problem and stop the anti-social behaviour.

If your review request is accepted, the review process will usually take up to 28 days from the date of acceptance. In some circumstances the process may take longer, and you will be kept informed by the Local Authority of this. A request can be declined if it does not meet the above threshold, or it is prejudicial, malicious, or unreasonable.

What is not eligible for a case review: The ASB case review does not review any cases which have been resolved, it will only focus on cases where anti-social behaviour is happening now. It does not consider complaints about service delivery, for example, a complaint about an individual member of staff. In these cases, tenants should refer to our complaint's procedure.

12. Complaint

While we value open communication and understand that misunderstandings can happen, it is important to note that if, after thorough investigation, an ASB complaint is found to be false or malicious, appropriate actions may be taken. Our aim is to foster a supporting living environment for all residents.

Where a customer is unhappy with Nehemiah's response to a report of anti-social behaviour and believes that we have not delivered our service in line with our policy and procedures, the tenant is able to make a service complaint. Please refer to our Comments, Complements and Complaints Policy.

13. Link to Other Policies/Legislation

This policy should be read and in conjunction with the following Nehemiah Housing Management Policies:

- Lettings Policy
 - Pet Policy
 - Safeguarding Children & Adults at Risk Policy
 - Tenancy Policy
 - Tenancy Sustainment Policy
 - Harassment and Hate Crime Policy
 - Domestic Abuse Policy
 - Void and Letting Procedure
 - Customer Engagement Strategy
 - Abandonment Policy
 - GDPR Policy
 - Equality and Diversity Policy
 - Neighbourhood Improvement Policy
 - Allocation Policy
 - Comments Compliments and Complaints Policy
 - Challenging Behaviour Management Policy
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- Compensation Policy

Other Useful Links

- [What is an anti-social behaviour \(ASB\) case review? | Anti-social behaviour case review | Birmingham City Council](#)
- [Community Trigger – Coventry City Council](#)
- [Anti-Social Behaviour Case Review | Dudley Council](#)
- <https://www.college.police.uk/guidance/anti-social-behaviour-powers>

Nehemiah Anti-Social Behaviour Procedure

Background

Nehemiah Housing's approach to dealing with anti-social behaviour is based around the principles within the Anti-social behaviour, Crime and Policing Act 2014:

- **Focusing the response to anti-social behaviour on the needs of victims** – working with other agencies to identify and support people at high risk of harm. With flexible approaches, enabling Nehemiah HOUSING to deliver solutions that will work.
- **Empowering communities to get involved in tackling anti-social behaviour** – by agreeing shared actions with residents and partners, to develop safe communities where anti-social behaviour is recognised as unacceptable and dealt with.
- **Ensure professionals can protect the public quickly** – through the appropriate use of the legislation that could include an action for possession of the perpetrators home as the last resort.
- **Focus on long-term solutions** - working with partners to address the underlying issues that drive anti-social behaviour, such as binge drinking, drug use, and mental health issues etc.

Anti-Social Behaviour

Examples of anti-social behaviour include:

- Noise nuisance.
- Intimidation and harassment.
- Aggressive and threatening language and behaviour.
- Hate-related behaviour and/or incidents that targets members of identified groups because of their perceived differences (e.g., race, sexual orientation, gender, disability, religion, age)
- Domestic abuse (including psychological, physical, sexual, financial, or emotional abuse).
- Using homes to sell, grow/cultivate drugs, or for other unlawful purposes.
- Vandalism and damage to property.
- Nuisance from vehicles.
- Actual violence against people and property or land.
- Nuisance caused by alcohol and solvent abuse.
- Nuisance caused by pets and animals.
- Overgrown and untidy gardens, dumped rubbish, lack of care for homes or communal areas.
- Other criminal behaviour

This list is not exhaustive. For more detail, please refer to Nehemiah's Anti-Social Behaviour Policy.

Process

During the entire process, any Anti-Social Behaviour (ASB) incident must be meticulously documented on our housing management system. Every step taken and any incidents pertaining to the case should be diligently updated. The following segment delineates the protocol to be followed upon a tenant raising an ASB complaint. This procedure is designed to aid staff in handling any ASB complaints and to provide tenants with a comprehensive understanding of the process.

Our organisation designates specific staff to investigate ASB complaints when they are raised. However, tenants retain the right to raise concerns with any member of staff. For this protocol, all low-level ASB complaints within supported housing will be investigated and addressed by the scheme officers, under the supervision of their line manager, the Senior Supported Housing Officer. All serious cases across our properties (HfOP, SH, and GN), as identified in section 2.3, will be handled by the Tenancy Service Officer, (in their absence the Housing Officer), with necessary support provided by the Senior Housing and Support Officer where applicable.

In instances of reported ASB, the person responsible will receive up to three warning letters, each outlining the nature of the committed anti-social behaviour. In the event of a breach of these warning letters and persistent continuation of the anti-social behaviour, the situation may escalate to an Acceptable Behaviour Contract (ABC). However, for severe cases of anti-social behaviour, the standard procedure of issuing warning letters may be bypassed altogether.

Timescales between warnings

- Once a warning has been given then if the ASB continues within 3 months, the matter is escalated to the other stages e.g., 2nd/3rd warning/ABC/legal action.
- If there are no issues and then after a 3-month period, the issue occurs again the perpetrator gets another warning as a reminder of what was discussed previously and then we continue through the process and then it escalates.

The following section briefly outlines our ASB process. Please note these are for guidance and the process may differ or escalate if cases are more serious. If a third party, for example the police, are involved the time to resolve this may be longer. It is our aim to ensure the ASB complaint is dealt with thoroughly and that the victim is respected and supported throughout the process.

	Action	Responsibility
1.1	Reports of ASB can be made by customers to any member of staff by any means of communication appropriate to them. This includes customers, local organisations and third parties acting on their behalf.	All Staff
1.2	All complaints relating to ASB should be recorded on our housing management system. Previous incidents should be checked using housing management system , tenancy files and archived records.	All Staff
1.3	A complaint relating to ASB does not have to be written, it can be verbal. Full details of the complaint will be investigated and documented as part of the evidence-based approach. Every action taken by Nehemiah will be recorded in Sassa and file notes will be signed, dated, and held on file. This includes records of all telephone conversations, home visits and email, meetings attended etc.	All Staff
1.4	An ASB complaint received from a third party will be investigated and may be acted upon provided the complainant agrees.	Tenant Service Officer/Housing Officer / Scheme Manager In the absence of officers Senior Housing and Support Officers will take action.

2.

2.1	Complainant will be offered an interview they may not want an interview and are happy for it to be dealt with over the phone as its more practical for them. For tenants in general needs properties a risk assessment should be carried out before staff visit the property. Housing for Older People and Supported Housing Accommodation should update existing risk assessments and support plans.	Staff members dealing with call at first point of contact.
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2.2	If the interview is conducted over the either the relevant documentation and follow-up must be completed.	Tenancy Service Officer/Housing Officer/Scheme Manager/ Senior Supported Housing Officer
2.3	<p>If the complaint is serious i.e., falls into one of the following categories:</p> <ul style="list-style-type: none"> • Criminal activity i.e., drug dealing, violence or threats of violence or treat of violence, sexual offences, offensive or racist Graffiti, gang related violence and prostitution. Where there is criminal element, the complainant must be advised and encouraged to report the matter to the Police in addition to Nehemiah. • Domestic Abuse • Hate related behaviour • Other serious ASB <p>In these incidents the complainant will be contacted to determine if a visit is necessary. If a visit is necessary, this will take place within 2 working days. Where cases are complex, which includes a greater level of risk to staff/tenant, the Senior Housing Officer will review and where necessary will attend visits with tenancy service officer/housing officer in their absence the Housing Service Manager.</p>	Tenant Service Officer / Housing Officer/Senior Housing Officer/Senior Supported Housing Officer
2.4	<p>Where the complaint is identified as less serious i.e.</p> <ul style="list-style-type: none"> • Vandalism/damage to property • Non-racist or inoffensive graffiti • Nuisance from animals • Dumping of rubbish/fly tipping • Noise • Verbal abuse 	Tenant Service Officer/Housing Officer / Scheme Manager / Supported Housing Officer
2.5	Where an ASB relating to nuisance caused by visitors/children the complainant will be contacted to determine if a visit is necessary. If a visit is necessary arranged in 5 working days	Tenant Service Officer/Housing Officer / Scheme Manager / Supported Housing Officer

3. Vulnerability Assessments

3.1	<p>A vulnerability assessment will be carried out at the start of the investigation. By identifying the vulnerability and risk to harm to the complainant the Tenant Service Officer /Housing Officer (Scheme Manager should discuss and agree with line manager) should determine what additional support the complainant will require during the investigation. Where an allegation of threats and or harassment from a disabled person or vulnerable person is received, there is significant risk of further harm. Vulnerability assessments will only be carried out for people who are our tenants. We put in that where it is deemed necessary that We may also conduct vulnerability assessments for the perpetrator as sometimes there will be an issue with this person i.e. mental health that is causing them to behave in an anti-social manner- doing this will allow us to decide if there are any issues that we need to take account of that could be causing their behaviour.</p>	<p>Tenant Service Officer /Housing Officer / Scheme Manager / Supported Housing Officer</p>
3.2	<p>To complete a successful vulnerability assessment:</p> <ul style="list-style-type: none"> • Make time and listen to the customer • Explain the different options and processes • Set a clear action plan • Help complainant obtain suitable support • Safeguarding referral to relevant agencies to follow up • Keep in regular contact • Build trust • Co-ordinate a partnership approach • Consider alternative housing solutions 	<p>Tenant Service Officer/Housing Officer / Scheme Manager/Senior Supported Housing Officer</p>
3.3	<p>It is important to obtain as much detail as possible at this stage to be able to assess the severity of the ASB and the timescales to respond to the complaint.</p>	<p>Tenant Service Officer/Housing Officer/Senior Supported Housing Officer</p>

3.4	Complete ASB risk assessment (form 1)	Tenant Service Officer/Housing Officer / Supported Housing Officer
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4. Interviewing the Complainant

4.1	The aim of the interview is to listen to and support the complainant in addition to finding out the circumstances of the complainant. Complainants must be given a choice of venue for their interview. Some customers may consider a telephone interview satisfactory; others may want to be interviewed face to face. Customers who request a face-to-face interview should be offered a choice of venues, including their own home or the office. To ensure the wellbeing of our tenants and safety of staff, risk assessments will be carried out prior to visit where applicable visits will be arranged with 2 members of staff.	Tenant Service Officer /Housing Officer / Scheme Manager
4.2	At the interview the arrangements for confidentiality and anonymity and where possible, we will not reveal the complainants' or witnesses identify. Unless there is a safeguarding issue (see safeguarding policy) the complainant will be advised that no action will be taken without their consent. A complaints interview record needs to be completed (form 2)	Tenant Service Officer /Housing Officer / Scheme Manager
4.3	At the interview identify what has happened, who is affected, where possible the alleged perpetrators details.	Tenant Service Officer /Housing Officer / Scheme Manager

4.4	<p>At the interview, an action plan will be agreed with the customer. In certain circumstances we may not be able to complete the action plan at the interview. This may have to be completed after the alleged perpetrator is interviewed as there may be other information to consider. This will include where necessary:</p> <ul style="list-style-type: none"> • Support and advice for complainant to speak to the perpetrator where appropriate • Removal of graffiti • Arrangements for repairs • Security measures - emergency alarm, mobile phone fireproof letter box • Arrange to interview any potential witnesses • Contact other agencies • Discuss at neighbourhood tasking meeting • Referral to homeless tasking meeting • Arrange to interview any potential witnesses • Contact other agencies • Discuss at neighbourhood tasking meeting • Referral homeless team if emergency rehousing required <p>The timescales for the agreed actions should be shared with the customer. The customer will be kept up to date with progress and given the contact details for the Housing Officer dealing with the case. The customer should be asked to sign the interview record and sent a copy of the signed document.</p>	Tenant Service Officer /Housing Officer / Scheme Manager
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5. Action Plans

5.1	<p>Serious cases as identified in 2.3 above or the customer is identified as vulnerable, plans should be reviewed every 5 working days.</p>	Tenant Service Officer /Housing Officer/Senior Supported Housing Officer (will assist where necessary for
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		HfOP and SH schemes)
5.2	Less serious cases as identified in 2.4 above and the customer has been identified as vulnerable, plans should be reviewed every 10 working days , or when something changes, or another complaint should be received.	Tenant Service Officer/Housing Officer

6.

6.1	This should generally take no longer than 10 days . If it becomes clear that it is going to take longer keep the complainant updated as to what is happening.	Tenant Service Officer/Housing Officer
6.2	Consider if witnesses and neighbours need to be visited prior to interviewing the alleged perpetrator. This may be necessary to confirm the information given by the complainant.	Tenant Service Officer/Housing Officer
6.2	<p>Witnesses can provide sound information or evidence to support a complainant's allegation of ASB. Support and encouragement should be given to witnesses, and they should be updated on the progress of a case on a regular basis. It should be agreed with the witnesses about the method and frequency of contact.</p> <p>Witnesses are crucial to tackling ASB whether they are the direct victims of ASB themselves or witness it within the community or against a specific individual.</p> <p>Witnesses need to be encouraged to report incidents, to provide evidence and to help the Police and other agencies to take enforcement action against the perpetrator</p>	Tenant Service Officer/Housing Officer

6.3	<p>In extreme cases where harassment / intimidation is involved protection measures for witnesses must be explored.</p> <ul style="list-style-type: none"> • Referrals to other agencies, i.e., Witness Support. • A higher Police presence in the area. • Emergency equipment such as 	Tenant Service Officer/Housing Officer
	<p>CCTV, panic alarms, additional locks, mobile phones may be appropriate in particularly serious cases.</p> <ul style="list-style-type: none"> • Giving works mobile number in case of an emergency and informing of the out-of-hours service. Ensure that the member of staff on call is fully briefed about the case. • Management move • Contacting previous witnesses / victims who 	

7.

7.1	<p>Check the Sassha IT system to see if any alerts/or risks are flagged up against the alleged perpetrator and or their property. Consider if it is necessary for more than one member of staff to be present at the interview. A joint visit with the Police maybe required.</p>	Tenant Service Officer/Housing Officer
7.2	<p>Where the alleged perpetrator is a child, generally any young person under the age of 18, the parents, guardian, or social worker should always be contacted about the behaviour of their children.</p> <p>If it is necessary to interview a child, their parent/guardian or social worker must agree to the interview taking place/guardian must agree to the interview taking place and must be present when the interview is conducted.</p>	<p>Tenant Service Officer/Housing Officer</p> <p>For Supported Housing Senior Supported Housing Officer or Scheme Officer will need to be involved in this process at this stage</p>

7.3	If the alleged perpetrator is not our customer, attempts should be made to identify their tenure and if appropriate contact their landlord about the alleged incident. If the householder is an owner-occupier, the Housing Officer should approach them directly to discuss the matter.	Tenant Service Officer/Housing Officer
7.4	Start the interview with introductions; tell the alleged perpetrator who you are. Let the perpetrator introduce themselves to you and find out the names of anyone else who is present.	Tenant Service Officer/Housing Officer
7.5	Explain Nehemiah's approach to ASB clearly and be ready to answer questions. Clearly explain the facts about the complaint and listen carefully to all responses which you need to record. But remember not to disclose the identity of the complainant even if the alleged perpetrator asks who has complained or has guessed.	Tenant Service Officer/Housing Officer
7.6	Explain to the alleged perpetrator any likely action to be taken and the consequences of the action. Also agree the method and regularity of further contact.	Tenant Service Officer/Housing Officer
7.7	While interviewing the alleged perpetrator, you may receive counter allegations. Whilst these should be taken seriously, they do not excuse any alleged behaviour by the perpetrator. Continue with the action for the alleged perpetrator but investigate the counter allegations and take the appropriate action as necessary. An agreed Action Plan (as above) must be completed.	Tenant Service Officer/Housing Officer
7.8	If appropriate, remind parents/guardians that they are responsible for the behaviour of their children and advise them of the repercussions from their children's behaviour.	Tenancy Service Offer/Housing Officer
7.9	If the Police are involved, then you should request official Police information via the agreed format and information sharing protocols.	Tenant Service Officer/Housing Officer
7.10	Where the perpetrator is a tenant of another landlord, contact their landlord to set up joint working to attempt to resolve the problem.	Tenant Service Officer/Housing Officer

8. Following the Perpetrator Interview

8.1	Contact the complainant to advise of outcomes of the alleged perpetrator interview and advise of action to be taken, next step and timescales. Update their action plan.	Tenant Service Officer/Housing Officer
8.2	Write to the perpetrator outlining the nature of the complaint, what we expect them to do to modify their behaviour and when and, the possible repercussions if any further complaints are received. This should be completed within 3 working days of the interview.	Tenant Service Officer/Housing Officer

9. Monitoring of ASB cases

9.1	In accordance with the action plans agreed with both the complainant and the perpetrator, contact must be made to ensure that no further problems have occurred.	Tenant Service Officer/Housing Officer
9.2	If the issues are resolved and the complainant agrees for the case to be closed, then this can be considered as appropriate.	Tenant Service Officer/Housing Officer
9.3	If further complaints are received, then further contact with the perpetrator is likely and more formal action may be required. Further evidence will be compiled.	Tenant Service Officer/Housing Officer
9.4	All ASB cases should be presented to the review panel for monitoring and if required further actions. Senior Housing Officer should also monitor cases with officers through their 1-2-1s and when any changes occur.	Senior Housing Officer
9.5	Periodic audits should be carried out by the Senior Housing Officer and findings reported to the housing service manager. Any non-compliances in Nehemiah's procedure for handling ASB should be addressed immediately.	Senior Housing Officer

10. Remedies to Resolve ASB

Nehemiah Housing will use a range of options, depending upon the nature of the case, to resolve the anti-social behaviour, which could include any other following:

10.1 Non-Legal Action

10.1 (i)	Depending on the situation Nehemiah Housing will interview the person that the allegation has been made about, to ensure that they are given an opportunity to change their behaviour. This will be necessary before more formal action is taken.	Tenancy Service Offer/Housing Officer
10.1 (ii)	Mediation - where appropriate, mediation will be offered to the parties involved in order to try to achieve an understanding of the issue in order to enable both sides to move towards a solution to the complaint. We engage the services of a trained mediator who remains impractical throughout the process.	Tenancy Service Offer/Housing Officer
10.1 (iii)	Acceptable Behaviour Contracts (ABC) – if appropriate we will invite the person committing the anti-social behaviour to sign a voluntary written agreement with, Nehemiah Housing and in some circumstances other agencies involved in dealing with the anti-social behaviour, such as the Police. This type of agreement can be considered where the person/s who has committed anti-social behaviour has expressed genuine willingness to change their behaviour.	Tenancy Service Offer/Housing Officer
10.1 (iv)	Parenting Contacts - are a supportive measure that provides a structured and balanced way for agencies to work with parents on a voluntary basis to improve the behaviour of a child or young person up to the age of 17. This would involve voluntarily signing a written contract between the parent, Nehemiah HOUSING and other agencies involved. The contract will normally require to exercise control over their child's behaviour.	Tenancy Service Offer/ Housing Officer For Supported Housing Unit Scheme Officer/Senior Supported Housing Officer work alongside of Tenancy Service Officer

10.1 (v)	<p>Family Intervention Projects - where there is a Family Intervention Project operating in a given local authority area, we will liaise with the local authority in order to seek a referral to the Project where appropriate. Family intervention Projects exist to sustain the tenancy of families at risk of eviction for anti-social behaviour. The projects, which are voluntary, provide intensive support to a family through various agencies. Where the scheme is in operation, the family being supported must either change their or risk losing their home.</p>	<p>Tenancy Service Offer/Housing Officer</p>
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10.1 (vi)	In instances of reported ASB, the person responsible will receive up to three warning letters, each outlining the nature of the committed anti-social behaviour. In the event of a breach of these warning letters and persistent continuation of the anti-social behaviour, the situation may escalate to an Acceptable Behaviour Contract (ABC). However, for severe cases of anti-social behaviour, the standard procedure of issuing warning letters may be bypassed altogether.	Tenancy Service Officer/ Housing Officer/ Senior Supported Housing Officer For Supported Housing Unit Scheme Officer/Senior Supported Housing Officer work alongside of Tenancy Service Officer
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10.2 Legal Action

Nehemiah Housing will consider legal action if all other means of resolving the complaint have failed. Where anti-social behaviour is very serious, we may start legal action straightaway. This stage will be discussed at Nehemiah’s ASB Review Panel that reviews all serious cases of ASB. The panel members are Housing Service Manager, Tenancy Service Officer, Senior Housing Officer, Senior Supported Housing Officer, and scheme staff/housing officer if case is on their patch or scheme they manage.

10.2 (i)	Injunction – is an order from the County Court requiring a person to do something or prevent them from doing something. An injunction will usually be the first form of legal action the Nehemiah Housing will consider after informal action has failed. We will work with other agencies such as mental health support professionals, and drug and alcohol support services, to provide support services to compliance with the positive terms of an injunction. Injunctions can be used for adults and minors.	Tenancy Service Officer/ Housing Officer/ Senior Housing Officer
10.2 (ii)	Demotion of Tenancy - is a court order reducing the tenancy rights of a person responsible for anti-social behaviour, for a period of 12 months. Demotions will be sought where Nehemiah HOUSING believes that somebody will respond to such an incentive to change their behaviour.	Tenant Service Officer/ Housing Officer /Senior Housing Officer

10.2 (iii)	Possession Proceedings – we will make an application for a possession order, asking the Court to end the tenancy of a customer who is acting in an anti-social manner, or whose visitors are acting in such a manner, where the behaviour of the tenant/their will therefore only use possession proceedings as a last resort.	Tenant Service Officer/ Housing Officer / Senior Housing Officer
10.2 (iv)	Ending an Assured Shorthold Tenancy – Assured shorthold tenancies are issued to customers living in our short term supported housing schemes. Where the tenant breaches their tenancy agreement during this time and their behaviour does not change, then Nehemiah Housing may end the tenancy by serving Notice.	Tenant Service Officer/ Housing Officer / Senior Housing Officer

10.3 Multi Agency Partnerships

Nehemiah HOUSING recognises that tackling the complex issue of anti-social behaviour is not the sole responsibility of the housing provider and cannot be dealt with alone.

10.3 (i)	Nehemiah Housing works with other agencies in the local Community Safety Partnerships (CSP). Community Safety Partnership (CSP) including: <ul style="list-style-type: none"> • Local authorities • Police • Fire Service • Probation Service • Primary Care Trust • Community and Voluntary Groups 	Tenancy Service Officer/Housing/ Officer/ Senior Housing Officer
10.3 (ii)	Nehemiah HOUSING will be guided by the relevant Community Remedy Documents produced by the Police when identifying solutions to anti-social behaviour issues.	Housing Officer/ Housing Services Manager
10.3 (iii)	Please refer to ASB Policy for Case Review process. This process cannot be used if a tenant is not happy with how a member of staff dealt with the ASB incident. Tenants will be advised to refer to Nehemiah's complaints process if they are unhappy with how their ASB complaint has been handled by staff, this does not mean if they did not get the outcome, they expected for example if perpetrator is not evicted etc.	Senior Housing Officer/Tenancy Service Officer/ Senior Supported Housing & Housing Service Manager

10.(vi)	<p>Case Review (Trigger)</p> <p>When a tenant requests a review of their case, which involves both internal and external agencies, the Senior Supported Housing Officer is responsible for ensuring all communication between external parties is carried out. Both the Senior and the Tenancy Service Officer should attend meetings. In the absence of the Senior Housing Officer the Housing Service Manager should be notified and where possible attend the meeting.</p>	<p>Tenant Service Officer/ Senior Housing Officer/Housing Service Manager</p>
10.(v)	<p>Closing Cases: All case closure requests should be reviewed at the Review Panel and signed off by the Senior Housing Officer and then the Housing Service Manager.</p>	<p>Tenant Service Officer/ Senior Housing Officer/Housing Service Manager</p>
10.(v1)	<p>Customer Satisfaction Survey: Once cases are ready to be closed, the Customer Engagement Officer should contact the tenant to carry out the customer satisfaction survey within 2 working days. In their absence a member of the Housing Service Admin Team should complete a survey with the tenant/complainant. Any dissatisfaction should be immediately referred to the Senior Housing Officer for further action if required and the Housing Service Manager in their absence.</p>	<p>Customer Engagement or Housing Admin in their absence</p>
10.(vii)	<p>Any dissatisfaction that can be resolved should be addressed immediately, and the case closed after action. If dissatisfaction related to how the case was handled by staff. A complaint relating to the handling of ASB by staff should be logged as a complaint (see comments compliments and complaints policy) and refer to the line manager.</p>	<p>Customer Engagement or Housing Admin in their absence</p>