



ANTI-SOCIAL BEHAVIOUR (ASB) POLICY

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Policy Context

Leeds Jewish Housing Association recognise that anti-social behaviour (ASB) can make the area in which people live an unhappy, unpleasant and sometimes frightening place to live and relax in. The fear of intimidation and harassment can have a dramatic effect on our tenants' quality of life. For some people, ASB may just be annoying. However, for others, particularly the elderly and vulnerable, the impact of serious incidents, or of repeated incidents of low-level ASB can be devastating. ASB-related issues which have gone on for a long time not only damage the lives of individual households, but can bring misery for entire communities, damaging the reputation of estates and leading to low demand and neighbourhood decline if these are not addressed. At the same time, we also recognise that sometimes, ASB may actually be noise nuisance, or relate to the wider effective and positive management of the neighbourhood.

1. Definition

ASB is any activity that impacts upon individual residents and tenants, other people, their homes and/or their communities, in a negative way. The key to categorising behaviour as 'anti-social' must be the consideration of its impact upon others. We know that anti-social behaviour can be subjective and means different things to different people. Different people may be distressed, or alarmed by different types of behaviour and activity.

The Anti-Social Behaviour Crime and Policing Act 2014 defines ASB as "***conduct capable of causing nuisance or annoyance***".

Examples include (but are not limited to):

- Using or threatening to use violence
- The use of abusive and/or insulting words
- Damage or the threat of damage to another person's possessions or belongings

- The playing of loud music at what is accepted as social or unsocial hours
- Disturbance late at night
- Graffiti
- Neighbour dispute, arguing and excessive noise
- Racist / anti-Semitic behaviour and / or language

It is important to stress that what constitutes anti-social behaviour may be based on the perception of the person who wishes to report it, even if the person who carried out the act had no intention of causing harm.

2.1 What is and isn't Anti-Social Behaviour?

There is a fine line between anti-social behaviour, noise nuisance and neighbour disputes which can often begin over relatively minor inconveniences such as parking. However, if they persist, they can potentially become anti-social behaviour.

The following behaviours are not classed as anti-social behaviour in isolation:

- Parking (including badly parked vehicles)
- Children playing
- Neighbours doing DIY (at reasonable times of the day)
- Groups of people in the street, outside a property, or in another public area, unless they are being rowdy, abusive, causing damage or committing other crimes
- Noise caused by everyday living
- Religious or cultural practice
- A one-off party
- General living noise which would reasonably be expected in flat-based living

In order to be classed as anti-social behaviour, and to help LJHA compile evidence as part of an investigation, there must be a pattern of sustained behaviour from a neighbour or group of neighbours over a particular period of time. A one-off incident,

for example, even if proof can be supplied, will not be treated as a case of anti-social behaviour, unless the complainant perceives that this is motivated by hate in any form.

2.2 Hate Crime

Sometimes, anti-social behaviour may be motivated by hate or prejudice against an individual or group of people. **No-one** should have to live with the fear, anxiety and consequences of hate in whatever form.

A Hate Crime is any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's disability, race, religion, sexual orientation or gender identity or perceived disability, race, religion, sexual orientation or gender identity.

Examples include:

- Physical attacks, such as physical assault, damage to property, offensive graffiti and arson;
- Threat of attack, such as verbal abuse, pictures or videos, offensive letters, abusive or obscene telephone calls

A Hate Incident is any non-crime incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's disability, race, religion, sexual orientation or gender identity or perceived disability, race, religion, sexual orientation or gender identity.

Examples include:

- Verbal or online abuse
- Insults or harassment
- Offensive leaflets and posters
- Abusive gestures

- Deliberately causing noise, or dumping of rubbish outside homes or through letterboxes.

Both hate crimes and hate incidents are taken extremely seriously when someone reports something. Unlike other forms of anti-social behaviour, a one-off incident which is perceived to be motivated by hate, will be investigated.

2.3 Anti-Social Behaviour and Criminal Behaviour

Leeds Jewish Housing Association recognise that there is a difference between ASB which is capable of causing nuisance or annoyance, and crime which is doing something forbidden by law.

LJHA are clear that criminal behaviour or criminal activities undertaken by tenants, families, friends or visitors on LJHA property associates, **will** be reported directly to the police. If the victim/s prefer not to report directly to the police, this will be reported on their behalf.

3. Implementation

LJHA's approach to preventing and dealing with ASB adopts the principles of the '*Respect – ASB Charter for Housing*' standard as follows:

3.1 Demonstrating Corporate Commitment

LJHA widely publicise their commitment to dealing with ASB to raise confidence in tenants that all reported ASB will be taken seriously and responded to appropriately.

We will ensure that we provide training sessions for our staff and tenants to ensure that they understand the policy and procedures for dealing with anti-social behaviour, and the vulnerability of particular individuals or groups.

3.2 Providing an Accessible and Accountable Service

LJHA offer and publicise a full range of ASB reporting methods, inside and outside of office hours. We also ensure that we communicate with, and update people, using their preferred method of communication.

We will ensure that we obtain feedback on the quality of service and support we have provided to the victim/s. This will include being accountable via our resident engagement structures, the complaints process and any relevant performance measures.

3.3 Protecting Communities Through Swift Action

LJHA takes swift and decisive action towards anyone who, we feel, is responsible for carrying out ASB. We will take firm action against the perpetrator/s. Evidence shows that taking prompt, proportionate action will often resolve ASB at an early stage and prevent behaviour from escalating or spiralling out of control. It will also create confidence in LJHA, and provide reassurance to tenants.

LJHA will:

- Contact complainants to obtain and record detailed information (within the same working day for urgent cases and within 5 working days for non-urgent cases).
- Based on the information received, make a decision as to whether the incident should be categorised as ASB, categorised as noise nuisance but not ASB, or not categorised as either of these.
- Record information on our SASSHA Housing Management System, including recording any ASB Hate Incidents.
- Liaise with the police or other agencies involved in the initial report.
- Where alleged perpetrators are fully identified and shown to be LJHA tenants, interview them with the permission of complainants. The alleged perpetrators will be provided with an opportunity to respond to the allegations made against them. If the alleged perpetrator(s) are under 18 years of age, or are

an adult requiring communication support, we will interview them in the presence of a parent, guardian or responsible adult of their choosing.

- Take appropriate action based on the nature of the incident/s, the complainant's wishes, and the wider community impact if relevant. This may include legal action if appropriate.

3.4 Working with Partner Organisations

LJHA will work with any partner organisations as deemed necessary in order to be able to assist in tackling occurrences of ASB. Examples of strategic level partnerships which landlords have traditionally been involved in include:

- Police And Communities Together (PACT) meetings with Neighbourhood Policing Teams
- Community Safety Partnerships
- Local strategic housing partnerships
- Multi-agency risk assessment committees (MARACs)
- Any specific local groupings around Hate Crime

3.5 A Supportive Approach to Working with Victims and Witnesses

LJHA adopts a supportive approach to working with victims and witnesses of ASB, assessing vulnerability, and advising victims and witnesses of support options.

We will deal with all incidents reported to us under this policy by taking a positive, sensitive, victim-centred approach. We will ensure that all necessary support and protection will be provided to the victim(s).

3.6 Encouraging Individual and Community Responsibility

LJHA's Tenancy Agreements clearly set out the standard of behaviour expected from all LJHA tenants so they can enjoy the peace and comfort of their own home. This is highlighted at the point of tenancy sign-up. As part of the signing up procedure, LJHA will make tenants aware of this policy, as well as our

Neighbourhood Management policy and the accompanying Good Neighbour Agreement.

LJHA will work with individuals and communities to assist that people are empowered and at the heart of decision making about the area in which they live. This needs communities to come together to support each other in addressing ASB and send out clear messages that they will not tolerate such behaviour. This may take the form of a local Neighbourhood Watch group, or tenant committee/panel

Tenants can find publically available information about occurrences of local crime and ASB by putting their postcode into the following website address:

<https://www.police.uk/>

3.7 Performance Monitoring and Review

In order to monitor the quality of the overall service, we may ask tenants who have used the anti-social behaviour service to complete a customer satisfaction survey. We will ensure that performance is aligned with the Housing Complaint Handling Code, Tenant Satisfaction Measures and Tenant Involvement Standards where appropriate.

Performance will also be measured on an annual basis for the number of ASB cases received and resolved as a proportion of our households. We will also share best practice and learning with other housing associations.

3.8 Focus on Prevention and Early Intervention

LJHA will inform tenants that they are responsible for the behaviour of family members and visitors, and forms of ASB listed under this policy. If proven, this will be regarded as a breach of their tenancy and could result in eviction.

We will proactively and reactively engage with tenants to find out any ASB 'hotspots'.

We will work with partners to understand the potential triggers for perpetrators and identify any diversionary or early intervention approaches in line with wider public health approaches.