

Anti-Social Behaviour Policy

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| Prepared by | Head of Housing Services, Neighbourhood and Estates Team Manager, and Neighbourhood Team Leader |
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| Monitoring, Auditing and Reporting | <ol style="list-style-type: none"> 1. Monthly KPIs 2. Quarterly KPI reports to Board and Customer Services Committee 3. Monthly case reviews from relevant line managers 4. Quarterly review with ASB Officers 5. Internal audit 6. Annual external audit |

1 Scope and Aims

- 1.1 The Anti-Social Behaviour (ASB) policy sets out how anti-social behaviour is defined, and how we will manage reports that are made to us.
- 1.2 We believe that everyone has the right to the enjoyment of their home and local neighbourhood. This applies to all properties owned or managed by Hexagon Housing Association, including tenants, leaseholders, shared owners and people living in our market rented properties.
- 1.3 We are committed to tackling ASB and will investigate all reports that meet our definition.
- 1.4 Hexagon has a dedicated Anti-Social Behaviour Team which is responsible for leading on the investigation and management of all alleged ASB. Other customer facing roles also have a responsibility for ensuring they remain vigilant to identifying and reporting ASB in a timely manner.
- 1.5 Hexagon also has a zero-tolerance approach to any verbal or physical abuse towards its employees or any of its representatives, including contractors.
- 1.6 We deliver a person-centred ASB service which sees complainants as an essential part of solving experiences of ASB. This will require them to supply information and to complete different actions when requested.
- 1.7 We are committed to working with our partner agencies to provide individual support to residents affected by ASB and to create communities and neighbourhoods people want to live in.
- 1.8 Information concerning our ASB service will be widely shared using different communication platforms. By doing this we aim to make sure that any resident experiencing ASB knows how to report this to Hexagon and to have confidence in the subsequent service provided.

2 Equality and Diversity

- 2.1 Hexagon aims to understand the diverse needs of residents and deliver fair and equitable outcomes under this policy. We commit to considering reasonable adjustments in the delivery of our services to accommodate the diverse needs of residents and their household members.
- 2.2 When risk assessing a report of ASB we will consider the impact of the reported behaviour on the resident and their household with due consideration for how the behaviour may have a greater impact on a resident or household due to protected characteristics and/or vulnerabilities. We will take this into account when agreeing frequency and method of contact with the resident, as

well as when agreeing an action plan. We will manage cases involving Hate Crime and Harassment in line with our separate Hate Crime and Harassment Policy.

- 2.3 Hexagon will complete an Equality Assessment in line with the Public Sector Equality Duty (PSED) prior to making decisions on taking legal action against a resident.
- 2.4 This Policy will be enacted in line with Hexagon's Vulnerable Residents and Reasonable Adjustments Policy and in compliance with our obligations under the Equality Act 2010 and the Regulator of Social Housing's Consumer Regulations.

3 Resident Consultation

- 3.1 Our Anti-Social Behaviour policy, procedures and performance has been scrutinised by our Resident Inspectors. They have made recommendations for improvements which have been integrated into this Policy.

4 Policy Statement

What is Anti-Social Behaviour?

- 4.1 The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as conduct:
 - that has caused, or is likely to cause, harassment, alarm or distress to any person,
 - capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
 - capable of causing housing-related nuisance or annoyance to any person.
- 4.2 If the issue you are reporting does not meet the definition of ASB but is about household noise from other Hexagon homes, it may fall under our Household Noise Policy. Hexagon will triage noise reports to ensure that we are distinguishing between reports of statutory noise nuisance, anti-social behaviour, and household noise transference.
- 4.3 The table below provides guidance on what we broadly to be examples of ASB, however, this is not an exhaustive list:

| ASB | Not ASB |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Criminal activity including drug dealing, • Hate crime • Harassment • Vandalism • Cuckooing • Vehicle nuisance • Drug abuse • Misuse of communal areas • Verbal abuse • Fly tipping • Physical violence, harassment and threats • Excessive Noise (i.e. that unreasonably and substantially interferes with the use or enjoyment of a home; for example, it may prevent you from sleeping at night, watching TV or having a conversation) • Animal nuisance (i.e. dogs persistently barking, pets fouling communal areas, dangerous dogs) | <ul style="list-style-type: none"> • One-off parties and barbecues • Infrequent and occasional noise or disturbances • Children's play • Crying baby • Door slamming • Cooking odours • Occasional dog barking • Noise from domestic appliances during reasonable hours (for example, washing machines, vacuum cleaners) • DIY during reasonable hours • Parking disputes • Minor vehicle repairs • Gossip • Neighbour disagreements • Neighbours posting on social media • Loud talking • Untidy gardens • Cigarette smoking (unless in an internal communal area) |

4.4 We understand that everyone has different levels of tolerance, expectations, and perceptions. Our decision to establish whether any reported ASB meets our definition will be based on the statutory definition **plus** whether the behaviour is reasonable. The decision will be taken by adopting a harm-centred approach which will consider the behaviour of an alleged perpetrator, e.g. frequency, duration, times occurring, intention, and the impact of the behaviour on the complainant and other residents.

4.5 Risk assessments will be carried out for all active cases but may also be used for determining if our threshold of ASB has been met. This may include risk assessments provided by other agencies.

4.6 Risk assessments will be carried out at regular intervals during the lifetime of a case. Where required, this may lead to a referral to a third-party support service or other agency.

5 Reporting Anti-Social Behaviour

5.1 Anyone can report ASB directly to us using any of the methods available; by phone, in writing, webchat form, in person or by email.

- 5.2 We will investigate with all reports of ASB that affect our residents or are caused by our residents (or a person they are responsible for) including where the complainant or alleged perpetrator is not a Hexagon resident.
- 5.3 Anonymous reports of ASB will not prevent us from carrying out our own investigations to establish evidence of ASB. This might include contact with neighbouring residents to seek their own experiences of the reported ASB or the police to confirm any criminal offences. However, without any additional evidence, there may be limitations to our follow up actions. This is likely to restrict us to managing cases reporting very serious behaviour only. Equally, anonymous complainants will have to recognise our inability to provide a direct response to their contact.
- 5.4 Where personal details are shared, we will not disclose them without consent unless we have a statutory duty to do so or there is a high safeguarding risk. However, complainants are encouraged to allow the source of complaint to be shared with perpetrators of ASB as this will increase our ability to successfully manage the behaviour. If we believe an individual's safety is compromised, we will take all necessary steps to safeguard them including the exploration of a Band A Transfer.
- 5.5 Where there is a high risk of harm, residents will be advised to approach the relevant Local Authority for temporary accommodation.

6 Categorising Anti-Social behaviour

- 6.1 Reports of anti-social behaviour that meet Hexagon's definition will be categorised into three categories. Contact will be made with the complainant in the timescales determined by the category of anti-social behaviour. This in no way implies that less serious cases are not treated importantly, however high-risk cases as determined by the risk assessment take precedent.
- **Category 1 - Personal harm** – where complaints are serious ASB such as violence / verbal abuse / harassment / discrimination / intimidation / threatening behaviour, we will contact the complainant to conduct a risk assessment within 1 working day.
 - **Category 2 - Nuisance** – where there are complaints of ASB such as, vandalism and damage to property (if non persistent), we will contact the complainant to agree an action plan within 5 working days.
 - **Category 3 - Environmental** – lower level ASB such as noise, pets and animal nuisance or garden nuisance will have action plans agreed within 5 working days.

- 6.2 Reports of domestic abuse will be responded to as Category 1. The Domestic Abuse Policy applies to these cases too.
- 6.3 All contact from residents to report ASB will be triaged within 24 hours of the initial contact to determine the report meets Hexagon's threshold of ASB and which category should be applied.

7 Tackling Anti-Social Behaviour

7.1 Preventative measures

- 7.2 Hexagon will take a proactive approach towards preventing occurrences of ASB within its communities. These include:
- The ability to refuse nominations or mutual exchanges where any member of a nominated household has either a history of ASB or is currently the subject of an injunction. This may have seen them be the subject of legal proceedings for ASB, or the cause of ASB or nuisance within our stock in the past.
 - Starter Tenancies granted to all new tenants. During the Starter Tenancy period, tenants will be encouraged to adopt behaviours that do not lead to a breach of tenancy.
 - Raising awareness amongst residents of acceptable behaviour and the need to be respectful of other community members.
 - Having a visible presence within our communities so that indicators and reports of ASB are seen and received at a very early stage.
 - Refusal to decant and permission for improvements

7.3 Early interventions

- 7.4 How we deal with each reported case of anti-social behaviour is dependent on the specific circumstances of the case, but we will always try and seek swift resolutions. These may include, but are not limited to:
- Mediation
 - Warning letters
 - Home visits
 - Regular contact with those reporting ASB to ensure new information is known
 - Acceptable Behaviour Contracts
 - Use of ASB budget e.g., purchase of carpet to reduce noise
 - Referrals to multi-agency groups e.g., Community Harm and Risk Management Meeting

- Verbal warnings
- Internal task force groups
- Installation of CCTV
- Literature promoting appropriate use of personal CCTV and/or ring doorbells.

7.5 Enforcement action

7.6 Any action taken by Hexagon is not incremental but will be proportionate to the:

- Seriousness, impact, and frequency of the behaviour;
- Level of risk it poses to those affected (based on Proportionality Assessment);
- Evidence available to support the case.

7.7 Where we consider legal action to be an appropriate form of action there may be different options available, including but not limited to:

- Possession proceedings
- Mandatory possession orders
- Injunctions (with or without notice)
- Starter Tenancy extension
- Legal warning letters
- ASB action case meeting

7.8 All legal action will be authorised by the Neighbourhood and Estates Manager and/or the Head of Housing Services prior to being pursued. Ahead of providing authorisation, each case will have an Equality Assessment carried out in line with the Public Sector Equality Duty (PSED). Dependent on the type of action being taken, there may be the opportunity to submit an appeal against the decision which will be considered by a senior manager not previously involved in the case. How to submit an appeal will be set out in our communication advising of the decision.

7.9 Hexagon does **not** have access to all the tools available for tackling ASB, some of which may be more suitable for addressing criminal matters, statutory nuisance or other specific issues. These include but are not limited to:

- Community Protection Notices
- Closure of premises
- Criminal Behaviour Orders

7.10 These tools are available to the Police or Local Authority and, where applicable, we will refer a case to the relevant agency or invite the complainant to make direct contact. Those cases referred will see Hexagon provide ongoing support to support partnership working.

7.11 Referring a case to another agency will not prevent Hexagon from investigating the case to establish any breach of tenancy and the ability to take action of its own.

8 Residents' Responsibilities

8.1 We want our residents to be able to live in a safe, secure and peaceful home and neighbourhood. We believe residents have an important role to achieving this. We ask that they do this by:

- 8.1.1 Discussing minor personal disputes or pet or noise-related problems with their neighbours wherever possible. Residents working together to find solutions can be very successful and, where needed, we can provide advice and support to a complainant about how to approach someone causing a nuisance/ASB.
- 8.1.2 Taking a proactive role within their neighbourhood by reporting any concerns they have to Hexagon and/or other relevant agencies.
- 8.1.3 Complying with the terms and conditions set out within their signed tenancy agreement or lease.
- 8.1.4 Engaging fully with us during a case. We will do all we can to reduce the burden on a resident, but we will require reports of ASB as they continue and may ask for other information e.g. a supporting letter from another agency. If we fail to receive these, we will be limited in how we can manage a case which may lead to us closing the case.
- 8.1.5 Cooperating with our suggested courses of action e.g. attending mediation, court etc.

9 Hexagon's Responsibilities

9.1 We will:

9.1.1 Ask at the outset what complainants are expecting and what would be a satisfactory outcome to them. This will give us the opportunity to be honest about what can and cannot be achieved and the uncertainty for the period of time this may take.

9.1.2 Complete an action plan with complainants where it is appropriate to do so. This will be dependent on the severity of the case and the anticipated length that the case will be open for. The action plan will take account of any Risk Assessment completed and information gained from an initial investigation. It will clearly set out the expectations of Hexagon and the complainant and will be reviewed at an agreed interval or as circumstances change.

9.1.3 Ensure that customer facing team members who have a role within the delivery of our ASB procedure are well trained. They will receive the required induction and refresher training, relevant to their specific role, to ensure they are always equipped to deliver Hexagon's commitment to tackling ASB.

9.1.4 Provide ASB related information to residents using different communication platforms.

9.1.5 Provide interpretation services where required

9.1.6 Actively work to safeguard children, young people and vulnerable adults from harm. All officers are trained to recognise where its Safeguarding Policy and Processes need to be activated in relation to any party involved in an ASB case.

9.2 Communication to residents will include how to:

9.2.1 Manage neighbour disputes

9.2.2 Self-refer to support agencies and mediation services.

10 Court action

10.1 In the event we proceed with court action we will do the following for complainants:

- Provide a full explanation of the impact of any legal proceedings and decisions.
- Provide emotional support by way of regular telephone calls and/or visits.
- Offer translation services for witnesses where appropriate.
- Make a referral to the Witness Support service who have access to a range of further support services.

- Closely liaise with other agencies involved to ensure a consistent approach.
- Agree post-hearing support between the agencies and witnesses after any court hearing.
- Transport to court.

11 Service Performance

11.1 We will continually monitor the ASB service we provide to our residents with the application of the following methods:

1.1..1 Use of case management software to record and monitor active ASB cases.

1.1..2 Case reviews are completed as part of monthly one to one meetings between ASB Officers/Neighbourhood Officers and the relevant line manager. In addition, quarterly reviews are completed for all live cases between the ASB Officers and the Tenancy Team Leader.

1.1..3 Monthly audit of all cases closed during the preceding month.

1.1..4 Performance Indicators.

11.2 We will also make use of feedback received from residents who have reported ASB to shape future service development. Forms of feedback will include:

11.2.1 Levels of dis/satisfaction and associated comments from residents linked with the management of their ASB case.

11.2.2 Complaints from residents reporting concern for our management of their ASB case.

11.2.3 Compliments from residents regarding our management of their ASB case.

11.3 There is a difference between an ASB complaint, and a complaint about the way in which an ASB case has been handled. Where the person is unhappy with the way in which their case is being or has been handled, they should consider:

- Raising their concerns with the Neighbourhood Enforcement Officer or Neighbourhood Manager;
- Submitting a Complaint for investigation in line with our Complaints Policy;
- Making an [Anti-Social Behaviour Case Review](#) request to their Local Authority.

11.4 Where our ASB and Complaints Policies have been exhausted but an individual is persistent in making the same complaints and reporting the same issues in an unreasonable manner we may implement our Unacceptable Behaviour from Complainants Policy.

11.5 We will always report the outcome of any action to the complainant(s) of ASB but there may be occasions when we choose to publish the outcome of our actions more widely. The objective to doing this will be to build public confidence in our ability to tackle ASB and we will use our different communication channels to inform our residents and local communities.

12 Supporting alleged perpetrators of ASB

12.1 We recognise there can be underlying reasons for someone's behaviour which can lead to reports of ASB e.g., mental health issues, substance misuse. We will work to recognise these and make appropriate referrals to support agencies with the view to minimising the impact of the behaviour. Any limitations in achieving this resulting from non-engagement or lack of support available, will not prevent Hexagon from progressing their action if ASB continues to be reported.

13 Multi-agency working

13.1 Hexagon believes that the most effective way of tackling anti-social behaviour is to work closely with other agencies. We actively work with the following key partners, but this is not at the exclusion of others who may be able to offer additional support for a specific reason:

- Police authorities
- Local authorities
- Statutory and voluntary support agencies

13.2 These partnership arrangements see us actively participate in different community safety groups, multi-agency meetings and community events and initiatives.

14 Information sharing

14.1 Our partnership work will see us share information where legislation either requires or permits us to. We are signed up to Sharing Protocol with the different police teams Hexagon works in partnership with which facilitates the exchange of information between the different parties. Any requirement to

share information outside of this agreement will be carried out in accordance with data protection law and best practice.

14.2 This Policy will be enacted in line with our Data Protection framework, and in line with the UK GDPR and Data Protection Act 2018. If you want more information about how your personal data is processed under this policy, please contact our data protection team at dprotection@hexagon.org.uk or call our office.

15 Domestic abuse

15.1 Hexagon takes domestic abuse seriously and are committed to providing a sensitive and professional response to anyone approaching us for assistance in cases of domestic abuse. A separate Domestic Abuse Policy is available.

16 Hate Crime

16.1 Harassment of any individual protected by the Equality Act 2010 is classed as Hate Crime and is dealt with under the Hexagon Hate Crime Policy.

17 Legal Framework

17.1 Housing Act 1988

17.2 ASB Crime and Policing Act 2014

17.3 Anti Social Behaviour Act 2003

17.4 Crime and Disorder Act 1998

17.5 Equality Act 2010

17.6 Data Protection Act 1988

17.7 General Data Protection Regulation 2018

18 Related Hexagon policies, strategies and procedures

18.1 Tenancy Management Policy

18.2 Safeguarding Policy

18.3 Domestic Abuse Policy

18.4 Unacceptable Behaviour from Complainants Policy

18.5 Allocation and Lettings Policy

18.6 Complaints Policy

18.7 Data Protection Policy

18.8 Hate Crime and Harassment Policy

18.9 Hoarding Procedure

18.10 VAWG Policy

18.11 Tenancy Policy

18.12 Recordings by Residents Policy

18.13 CCTV Policy

18.14 Privacy Policy