



Anti-Social Behaviour Policy

Title: Anti-Social Behaviour Policy		Policy Number: OPY872 Version 3	
Authorised by	Peter Airey	Date Authorised	28 February 2024
Annual Check	February 2025	Next Full Review Date	February 2027

ANTI-SOCIAL BEHAVIOUR POLICY

PURPOSE

Nacro is committed to responding and resolving issues of Anti-Social Behaviour (ASB) that is reported to it by both its own Occupants and the wider communities within which Nacro works. There are clear regulatory requirements for Registered Providers regarding recording and responding to ASB and this policy sets out Nacro's response to ASB.

SCOPE

This policy sets out how Nacro responds to and resolves reports of ASB. It does not cover responding to Domestic Abuse, Complaints about quality of service or staff, Whistle blowing or Tenancy Fraud. This policy should be read alongside the Safeguarding and Critical incident policies.

RISK

ASB is a key cause of poor reputation and turnover of tenancies. Areas with high levels of ASB can cause delays in letting or increased hard to let properties. In order to mitigate this there needs to be clear procedures and training of staff for early intervention and ways to resolve ASB to avoid high profile cases.

EQUALITY AND DIVERSITY

ASB impacts individuals across all the characteristics, however, the impact can be different depending on their resilience and with the nature of Nacro's client base this needs to be considered. The Recording and reporting on ASB needs to include a breakdown by the protected characteristics to identify any areas of high impact that may need additional interventions.

GDPR/CONFIDENTIALITY

GDPR and confidentiality is going to need to be considered carefully as there are risks with the nature of our service users and their circumstances that require careful consideration about what information is recorded and shared where, including with statutory agencies around ASB and includes ensuring the language is appropriate for sharing.

CONSULTATION

Front line staff and managers have been consulted about the issues and concerns for them and their teams and their feedback has been incorporated into the policy and procedures.

Service users have been consulted about their experiences in order to feed into how staff can support individuals experiencing and causing ASB.

LEGAL

Housing Acts 1996 and 2004.

Anti-social behaviour, Crime and Policing Act 2014 and updated guidance 2023

Renting Homes in Wales 2016

ANTI-SOCIAL BEHAVIOUR POLICY

1. INTRODUCTION

- 1.1 Nacro believes that everyone has the right to live as they would like to if it does not unreasonably spoil the quality of life of others. This means being tolerant and respecting the needs and choices of other people.
- 1.2 Where individuals experience or cause Anti-Social Behaviour (ASB) Nacro will use a range of tools and measures to stop the ASB. This policy and its procedures set out Nacro's approach to resolving ASB.
- 1.3 It is essential for all frontline professionals to understand what ASB is, and the impact it can have on individuals and communities. They need to understand what support is available to those experiencing ASB and the interventions and legislative powers available to tackle ASB.
- 1.4 It is also important that staff understand the need to maintain confidentiality between all parties and not share information without express permission of the other party.

2. DEFINITION OF ANTI-SOCIAL BEHAVIOUR

- 2.1 ASB is defined under S 105 (4) of the [Anti-Social Behaviour Crime and Policing Act 2014](#) as:-

“(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”.

- 2.2 For the purposes of this document, this definition has been extended to include behaviour by residents, groups of residents, members of their household or their visitors, which would generally be considered to cause annoyance, nuisance or disturbance to other people in the area.
- 2.3 Where there is a serious safety risk or danger to individuals or staff this should be considered as a safeguarding incident and Nacro's Safeguarding, and Incident Management Procedures and CAS2 Incident Management Policy take priority over ASB policy and procedures.

2.4 Where this kind of incident is live staff should immediately call the police to prevent injury and loss of life. Decisions about actions to be taken next can be left when all individuals are safe.

2.5 Although the Nacro may choose to use the ASB Court actions to stop or minimise the risk this should be done in line with the Safeguarding and Incident management procedures for both Nacro Housing and CAS-2.

2.6 Some examples of behaviour that would be treated as ASB include but are not limited to:

- Intimidation and harassment including against staff.
- The fouling of public areas, graffiti, fly tipping and nuisance vehicles.
- Actual violence against people or property including against staff.
- Behaviour that targets members of identified groups because of their perceived difference e.g., racial harassment.
- Using or threatening to use housing accommodation to sell drugs, or for other unlawful purposes.
- Excessive noise nuisance.

2.7 Some examples of behaviour that is not classed as ASB are:

- Washing machine noises
- Music being played during the day.
- Moving of objects
- Door slamming
- Lifestyle clashes caused by different working or home lives. .
- One off Parties
- Cooking odours

3. LANDLORDS RESPONSIBILITIES FOR ANTI-SOCIAL BEHAVIOUR

3.1 Nacro is required to meet regulatory Requirements from the Housing Acts 1996 and 2004 and the Anti-social behaviour, Crime and Policing Act 2014

3.2 Registered social housing providers (such as housing associations and local authority landlords) have a responsibility to prevent ASB by keeping the neighbourhood and communal areas under their control safe and clean.

3.3 Landlords should make it easy for individuals to report ASB, taking reports of nuisance seriously and acting professionally.

3.4 Landlords must publish and provide information and documents regarding performance standards and the types of behaviours they can help to tackle.

- 3.5 Landlords have a duty to publish data, at least annually, to ensure transparency covering:
- the number of ASB Reports received by type.
 - overall outcomes of cases managed by the landlord.
 - the number of applications for ASB Case Reviews received.
 - the number of times the threshold for review was not met.
 - the number of ASB case reviews carried out.
 - the number of ASB case reviews that resulted in recommendations being made.
 - satisfaction with ASB case handling and outcomes.
- 3.6 As a landlord Nacro should make it clear what information is needed from someone reporting ASB and what help can be provided by Nacro. In addition, staff are expected to keep everyone updated until the case has been closed.
- 3.7 Nacro is not the only agency that can tackle ASB, and it is important for staff to understand what Nacro can do as a landlord and what it cannot do. They need to understand the other Agencies who can resolve and stop ASB.
- 3.8 Nacro as a landlord has certain powers to act against those causing ASB however, they do not have all the powers. Other Agencies such as the Police and the Local authorities have different powers to resolve and stop ASB. Nacro should be able to provide individuals with information about the help available from other agencies when they can either not take action themselves or where individuals feel the need for involvement from other agencies such as the local authority or the police.
- 3.9 The Table below provides examples of what is ASB and who they can report these issues to. In cases that aren't anti-social, examples of how to resolve issues are suggested.

Table of ASB and Recommended actions

ASB Category	Dedicated Procedure	Recommended advice	Impact/Harm	
			Serious	Medium
Hate Crime	Hate Crime Procedure	Report this immediately to the police but please tell us about this too	✓	
Domestic Abuse	Policy and Procedure	If someone is in danger report this immediately to the police. Seek help call the helpline Domestic abuse: how to get help - GOV.UK (www.gov.uk)	✓	
Verbal Abuse, Harassment and intimidation		If it is safe to do so you should try to resolve this yourself. But report this to us to resolve the cause of the	✓	✓
Violence		Report this immediately to the police but please tell us about this too	✓	
Vandalism, damage to property and graffiti	Guide to Responding to Criminal Activities	Report this immediately to the police but please tell us about this too		✓
Criminal Activity				✓
Drug Dealing			✓	
Cuckooing or mate Crime	Guide to responding to cuckooing	Report this immediately to the police but please tell us about this too	✓	
Cyber Crime		Report this immediately to the police, report this to your bank to protect your account. If you are living in our accommodation, we can help you with this.		✓
Noise nuisance	Guide to responding to noise nuisance	Report this to the Local Authority – they will request that you fill in diary sheets		✓
Parties		A one-off Party is not ASB. If this is ongoing and the noise is disturbing, you can contact the police who may attend if they have available resources. If there have been more than one party in the year and this is another party this is ASB please complete the diary form.		✓
Weapons	Weapons Procedure	Report this immediately to the police but if you are living in our accommodation, you need help with reporting it, please tell us and we can support you	✓	

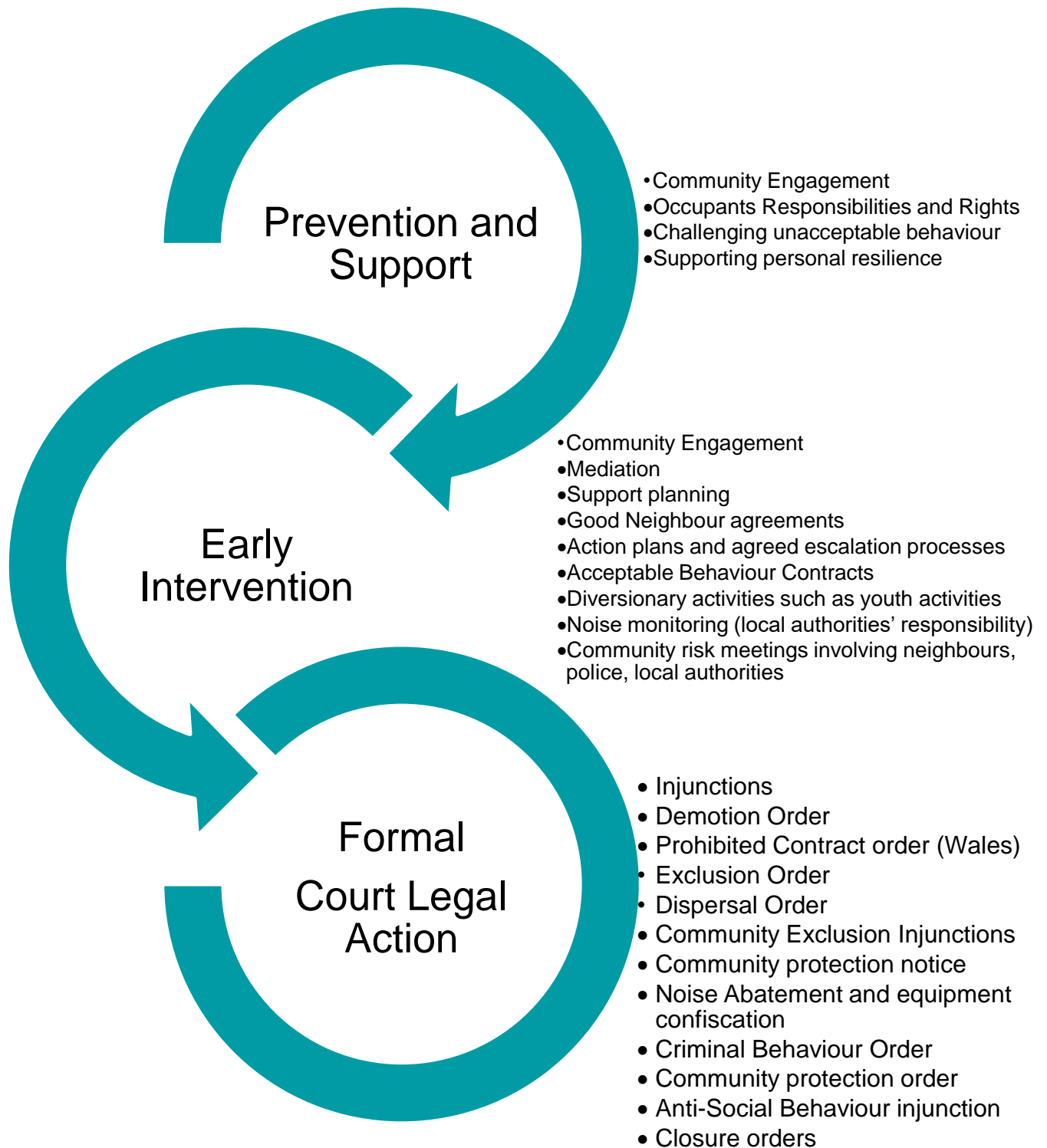
- 3.10 Regardless of whether Nacro as a landlord has the powers to resolve and stop the ASB Nacro has an obligation to its occupants to support them where they are experiencing ASB including supporting them to seek assistance from other agencies where appropriate.
- 3.11 Finally, Nacro should also inform anyone reporting ASB about their right to make an application for an ASB case review (also known as the Community Trigger).
- 3.12 Good recording and managing of ASB reports is essential to ensure that Nacro meets its landlords obligations. Nacro uses its IMS system to record and monitor all ASB reports.

4. NACRO'S RESPONSIBILITIES AS AN EMPLOYER

- 4.1 As an employer Nacro has the Lone Working and Personal Safety Policy which sets out the risk assessment process to be followed by staff visiting occupants. This includes the control measures to be put in place to prevent harm/abuse from occupants. Managers need to ensure that staff are following this policy.
- 4.2 Risk assessments must be kept up to date on Occupants to identify any particular and significant risks.
- 4.3 If there is an incident that causes concern the Incident Management Policy or CAS-2 Incident Management Policy should apply and for abuse of staff the Health and Safety event should be followed. Following this guidance and procedure will ensure that any staff who does suffer abuse is supported.

5. NACRO'S APPROACH TO ANTI SOCIAL BEHAVIOUR

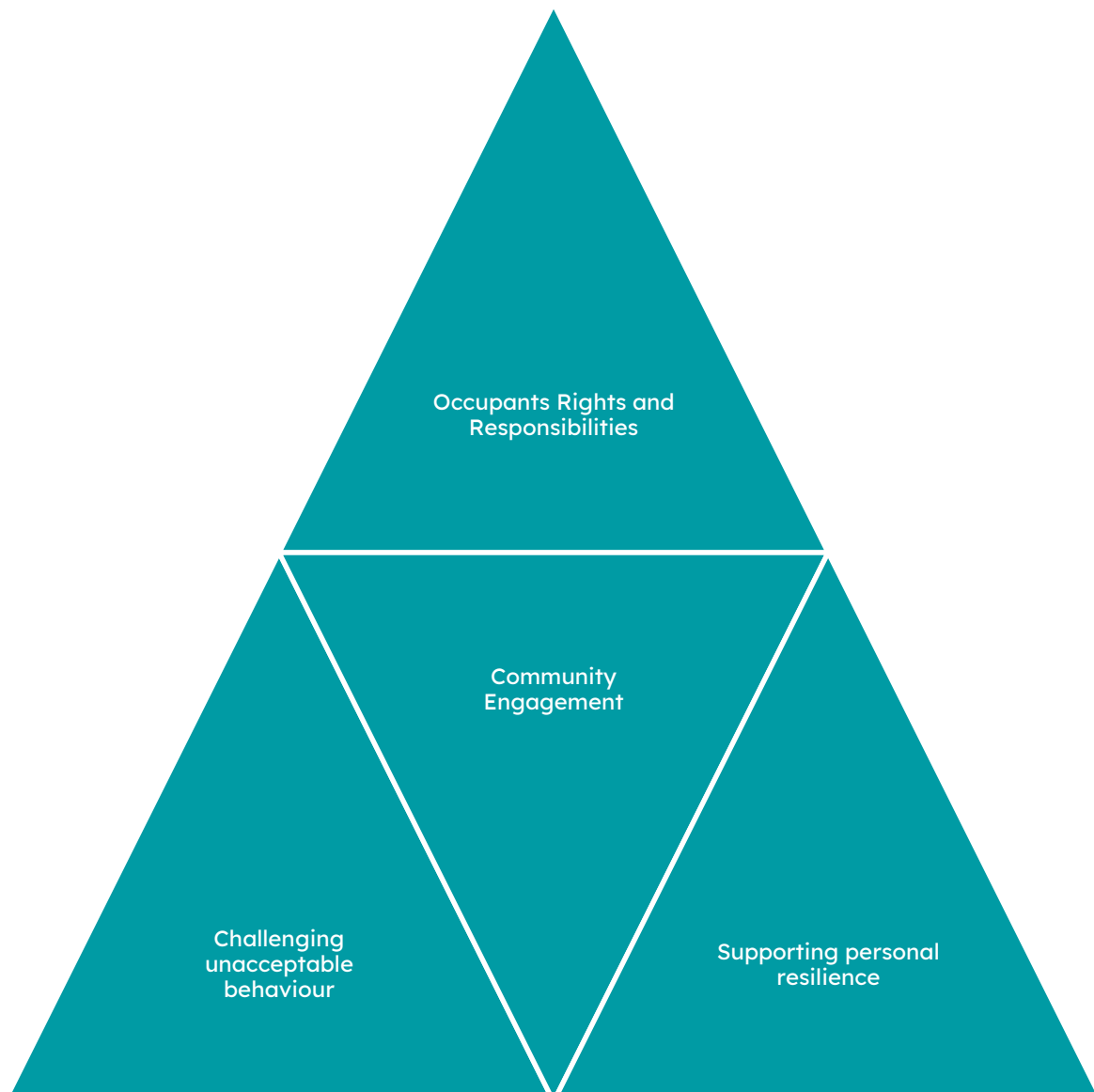
- 5.1 Nacro will meet its commitments and respond to all reports of ASB proportionately offering support and assistance to anyone reporting ASB within our communities to resolve the issue.
- 5.2 Our approach to Resolving ASB uses these distinct areas.
- Prevention
 - Early Intervention
 - Support for Those experiencing ASB
 - Formal and Legal Intervention



5.3 When we receive a report of ASB Nacro aims to:

- Take all reports of ASB seriously.
- Respond appropriately to all reports of ASB based on the type of ASB and its severity.
- Act quickly to prevent ASB escalating.
- Respond sensitively to all reports of ASB even if this is something that cannot be resolved by Nacro.
- Keep everyone informed during all ASB cases.
- Train staff to understand the causes of ASB and the options and tools available to resolve it.
- Work with partner agencies to prevent and tackle ASB.
- Work within our communities to resolve nuisance issues and build safer communities.
- Support our occupants to understand their responsibilities and offer.
- Support to change behaviours and build resilience.
- Support our occupants affected by the ASB.
- Support initiatives to rehabilitate perpetrators.

6. PREVENTION OF ANTI-SOCIAL BEHAVIOUR



- 6.1 Prevention is a key priority for Nacro and there are several strands to its approach.
- Occupants Responsibilities and Rights
 - Challenging unacceptable behaviour
 - Supporting personal resilience
 - Community Engagement
- 6.2 All our occupancy agreements set out clear responsibilities for occupants around being a good neighbour treating everyone with respect and not causing a nuisance. They also explain their rights to be safe and secure in their homes.
- 6.3 Weekly review meetings should be used to carry out refresher conversations to reinforce their responsibilities. They are an opportunity to challenge inappropriate or unacceptable behaviours and encourage positive actions and build resilience.
- 6.4 Engaging with the community is an essential part of preventing misunderstandings and building tolerance amongst our neighbours. As Nacro is not the main landlord in its area it is vital that staff engage with their community, the other landlords and agencies in the area. This can enable community agreements, and community diversionary activities to be developed to reduce risk of ASB and build tolerance and understanding between neighbours.
- 6.5 The [ASB Prevention Guide](#) can help staff find what will work in their community.

7. TAILORED RESPONSES FOR SPECIFIC TYPES OF ASB

- 7.1 All types of ASB require specific tailored responses, often requiring multi agency working from the start.
- 7.2 In some of these instances Nacro is not the agency who should lead action but who should support evidence gathering and individuals.
- 7.3 For each of these Nacro has its own procedures to ensure that our response meets those requirements.
- 7.4 The priority is to respond promptly to the report, Investigate fully and take early actions to stop the nuisance.
- 7.5 The [Table of ASB and Recommended Responses](#) at 3.9 sets out a guide to priorities. However, this must always be balanced by the impact it is having on the individual.

8. REPORTING AND RESPONDING TO ANTI-SOCIAL BEHAVIOUR

- 8.1 Nacro encourages occupants, neighbours, staff, contractors, businesses, workers and visitors where appropriate, to report problems of ASB and to work with us to resolve the problem.
- 8.2 **Staff experiencing ASB personally must report this immediately to either their service lead or an area manager. An incident report should be completed with oversight to the Area Manager and an action plan must be agreed to safeguard staff and tackle the issue.**
- 8.3 Nacro believe that anyone reporting ASB plays a key role in its successful management. They are expected to co-operate with reasonable requests to assist Nacro to progress reports of ASB. This may mean agreeing to self-resolution actions, keeping to appointments, keeping records of incidents or taking part in mediation. Nacro may not be able to take further action to resolve the ASB without reasonable cooperation from these individuals.

Ways residents can report anti-social behaviour to Nacro:

- By contacting your named Housing Support Worker
- Contacting a service lead
- In person at our local offices or during a scheduled visit by a member of Nacro staff
- By contacting the main offices where an individual is unaware of the project lead
- By completing an ASB report form and either, posting, emailing or handing to staff.
- Online through Nacro's website.

8.4 Nacro keep records of all reports of ASB and treats them seriously dealing with them promptly and efficiently.

8.5 **Response times**

Once a report is received Nacro will arrange an initial interview by phone or in person with the complainant in response to a report of ASB.

8.6 Our response times are set out below: -

- **Within 1 Working Day** - all emergency cases (cases involving serious threatened or actual violence, domestic violence or hate based behaviour), within one working day. Nacro will aim to do this on the same day as the incident wherever possible.
- **Within five working days**- Staff must talk to the individual within 5 days and agree the approach, if they need a face-to-face meeting this can be agreed at that time.
- **Face-to-face** interview be undertaken within ten working days of the

initial report.

8.7 Impact and Risk Assessment

The impact of ASB on an individual is different for each person and so there should always be a risk assessment made for each individual considering the impact on them of the behaviour. This needs to be reviewed regularly should be reviewed if the ASB continues.

8.8 Supporting those reporting ASB and Witnesses

Nacro encourage and support individuals and others affected by ASB to continue to live at home and work with us to resolve the problem, rather than to move away from the problem. With guidance from other agencies Nacro may consider adding additional security to reassure individuals living in its properties such as secure letter boxes.

Where people choose to move away as a temporary measure, we will continue to work with them to enable them to return to their home.

8.9 Nacro will keep them informed of the progress of the case.

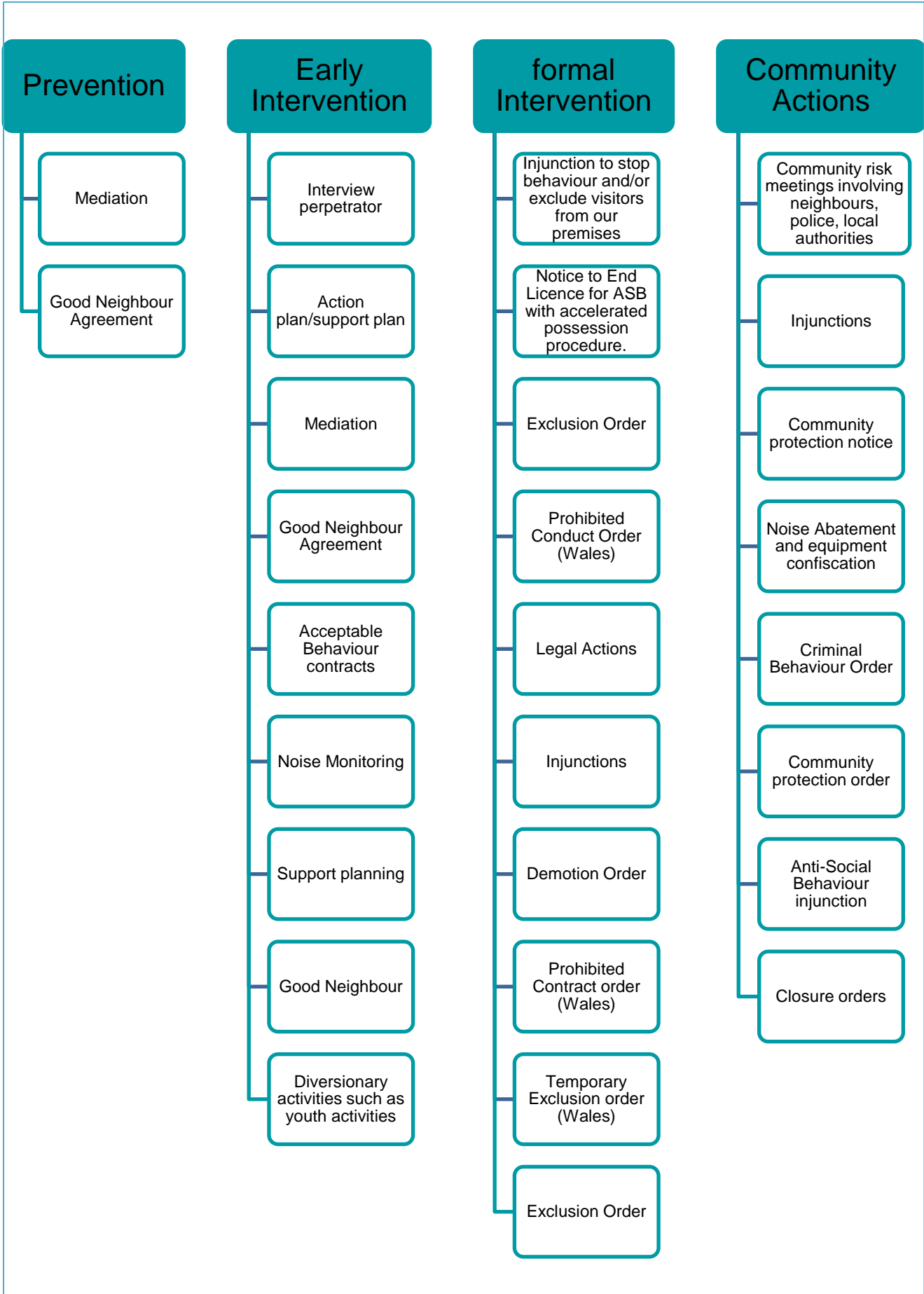
8.10 Nacro will agree an action plan with the Individual, which will include timescales for action and a review timetable to ensure that expectations are managed.

8.11 Nacro review security measures for witnesses where appropriate and ensure that they are well prepared for court. Nacro may provide transport to court, an escort at court and follow up support if required.



ASB Response Flow Chart





9. EARLY INTERVENTIONS TO RESOLVE AND STOP ANTI-SOCIAL BEHAVIOUR

- 9.1 There are a range of tools available to staff to intervene at an early stage to resolve ASB before it becomes serious.
- 9.2 Staff will respond to reports of nuisance promptly and sensitively treating each case seriously.
- 9.3 Often people reporting nuisance to Nacro will expect staff to take legal action to evict someone no matter what the issue, frequency or if it is ASB and for this reason it is crucial that staff communicate clearly but sensitively what is and isn't ASB. When something is reported for the first-time staff should be encouraging and supporting individuals to resolve this themselves. Staff can act as a facilitator supporting our Occupants where needed.
- 9.4 **Signposting**
As a Landlord Nacro is not always the best organisation to resolve the ASB. In these cases, staff should be signposting those experiencing ASB to those agencies. If this individual is a Nacro occupant staff should support them in this.
- 9.5 Where the ASB is Nacro's responsibility staff should make it clear to individuals what they can and cannot do to manage expectations and they should agree what actions will be taken using the non-Legal and early intervention tools.
- 9.6 The [ASB Case Management and Early Intervention procedure](#) can help staff find what will work in their community.

10. HATE CRIME

- 10.1 Hate crime is any offence committed against a person or property, which is motivated by the offender's hatred of people because they are seen to have different characteristics.
- 10.2 Hate Crime is a criminal offence and will not be tolerated by Nacro.
- 10.3 Nacro Supports the reporting of Hate Crime through the True Vision Website, which can provide resources to help understand and resolve Hate Crime.
- 10.4 Nacro is committed to the Respect ASB charter to respond to Hate Crime.

10.5 Action taken against those responsible will be: -

- proportionate to the seriousness of the activity in which they are engaged,
- appropriate to the circumstances
- always undertaken in partnership with the police.

10.6 Nacro provides guidance for Staff and its occupants on its [Hate Crime Procedure](#).

11. FORMAL COURT INTERVENTIONS

11.1 Where the ASB is of a serious nature or has been not been resolved through the early and non-legal interventions staff need to consider escalating the actions to formal interventions using the [Formal and Legal Actions Procedure](#).

11.2 Any consideration of formal action must be with the approval of the Area Manager and support from the Housing Manager who can support staff with the preparation of documents.

11.3 **Serious risk to life or property**

Where the ASB endangers life or property that requires immediate legal protection. Any legal action applied for will be considered on the grounds of proportionality and will take into account a perpetrator's capacity as well as issues raised under the Human Rights Act 1998 and the Equality Act 2010.

11.4 This kind of action is usually supported by the police and their support and evidence can be of great assistance in achieving injunctions and other court orders.

11.5 The legal interventions Nacro may consider are for quick action where there is a serious risk to life or property.

- Injunction to stop behaviour and/or exclude visitors from our premises.
- Notice to End Licence for ASB with accelerated possession procedure.
- Exclusion Order
- Temporary Exclusion Order (Wales)
- Prohibited Conduct Order (Wales)

11.6 **Escalating Long Term/Persistent Perpetrators of ASB**

Where there is persistent ASB and the perpetrator is not making any effort to stop or change their behaviour Nacro despite trying the non-legal interventions such as ABCs and good neighbour agreements Nacro will consider using the following options: -

- Injunctions

- Demotion Order
- Prohibited Contract order (Wales)
- Temporary Exclusion order (Wales)
- Exclusion Order
- Eviction

11.7 The following actions can also be considered, although all require partnership work with other agencies including police and local Authorities. These options should be considered before considering eviction. They include: -

- Injunctions
- Community protection notice
- Dispersal Orders
- Noise Abatement and equipment confiscation
- Dispersal Orders
- Criminal Behaviour Order
- Community protection order
- Anti-Social Behaviour injunction
- Closure orders

11.8 Where applicable and appropriate, Nacro will apply to court for a possession order either for breach of tenancy or in some circumstances, an ASB case may meet the threshold for a possession order on the absolute grounds.

11.9 Nacro reserve the right to make a referral to Social Services or the Police, including a safeguarding referral, without the permission of the Individual where the situation supports this. (Staff must always consider confidentiality and Data protection).

12. CONFIDENTIALITY

12.1 Nacro employees will deal with reports of ASB in line with the data protection policy. Cases will be dealt with in confidence and will be handled with discretion and sensitivity.

12.2 Nacro will only share individuals' details with legal advisors, police and other agencies under the information sharing protocol. It will only disclose details to other parties where they are required by the courts or where individuals give their express permission to do so. Staff should always seek advice of the Area manager before sharing any information.

13. RESOURCES FOR DEALING WITH ANTI-SOCIAL BEHAVIOUR.

13.1 Staff dealing with ASB are trained to investigate and manage cases. Part of Nacro's Learning and Development programme includes modules on ASB. Employees have a range of guidance and tools that they can access to help support occupancy sustainment and respond appropriately to all reports of ASB.

13.2 There are a range of guides [available on Onespace](#).

13.3 Where there are skills gaps, managers need to identify this and arrange for training.

13.4 The housing Managers have experience in court and dealing with ASB and are a ready resource for Staff.

13.5 Where specialist assistance is needed the housing Managers can signpost to appropriate legal experts where approved.

13.6 Service leads should seek to engage with the community and partners to identify local providers of support services including mediation, neighbourhood and community support, neighbourhood watches to name a few.

14. PUBLICITY

14.1 Nacro may use publicity in successful legal action cases in order to:

- Increase community confidence.
- Deter offenders.
- Provide the community with the information they require to report any breaches of ASB injunctions.

14.2 Before considering publicity, staff will seek guidance from the Head of Service to ensure that all consideration of GDPR has been taken.

15. MONITORING

- 15.1 Nacro will record all cases of ASB through its Incident management system. Case management and documentation will be stored in an electronic case file.
- 15.2 Service Leads will review all cases of ASB within their service area and support individuals to take appropriate action. This should form part of their performance appraisals.
- 15.3 Area Managers will review all ASB cases in their area and ensure that staff are taking action in a timely way when necessary.
- 15.4 The Equality and Diversity group will see an annual summary of ASB cases by Protected Characteristics
- 15.5 Quarterly reports on ASB cases and outcomes will be provided for review by SMT.

16. ANTI-SOCIAL BEHAVIOUR CASE REVIEW – FORMERLY KNOWN AS A COMMUNITY TRIGGER

- 16.1 Nacro has a complaints procedure for individuals to raise complaints about service. However, ASB is not a complaint, and it is expected that individuals will have exhausted the ASB procedure including the option of requesting an ASB Case Review as an alternative to raising this as a service complaint.
- 16.2 Each local authority has its own guidance on how to instigate an ASB Case Review. Attached is a link to [the National Guidance on them.](#)
- 16.3 Any concerns raised through this will be dealtwith in line with the local authority procedure for that area.

17. IMPLEMENTATION

This policy will be included as part of the induction of all new staff. There it will be rolled out to existing staff with guidance on the tools available for staff.

A future enhancement will be the introduction of standard documentation will be added to Pyramid and Open housing for use by staff to make case management easier.

18. PROCEDURES LINKED TO THIS POLICY

[Prevention activities and tools guidance](#)
[Managing Cases and Early intervention procedure](#)
[Legal actions and eviction procedure](#)
[Witness support and Guidance](#)
[Hate Crime](#)
CAS2 Incident Management Policy

19. REVIEW

This policy will be reviewed every 2 years or when there is a change in legislation that requires updating.

20. POLICY/PROCEDURES/GUIDANCE HISTORY

Revision History

Version	Date	Editor	Summary of Changes
3	Dec 2022	Sarah Wigmore	Updating of legislation and separation of procedure from policy in accordance with the ASB, Crime and Policing Act.
4	March 2023	Sarah Wigmore	Updating in response to the ASB Action Plan published 27/3/2023
5	February 2024	Sarah Wigmore	Update of policy to reflect changes in procedure and new procedures from Training