

## Antisocial Behaviour Policy

### 1. Our policy is...

- 1.1. We believe everyone has the right to live peacefully in their home without disturbance or nuisance from others. All tenants, including household members and visitors, must respect the privacy and quiet enjoyment needs of all others. This principle not only applies to the area around people's homes but to the communities where they live.

#### **Our Tenancy Agreement states:**

- 1.2. Your responsibilities for your own behaviour, members of your household and visitors are not confined to your home. They also apply to the area around your home and the community you live in. You or anyone visiting your home or living with you must not:
- do, or allow anything which causes a nuisance, annoyance or disturbance to any other person;
  - engage in drug dealing or engage in or permit others to take part in the consumption, or possession of illegal substances;
  - damage, deface or put graffiti on any of our property, other property or buildings;
  - engage in any illegal, immoral or unlawful activity;
  - allow rubbish to accumulate in or around your home and you must make sure that rubbish is not dumped on any other surrounding area or land owned by us;
  - throw or drop any items from any parts of block or flats or other buildings owned by us;
  - damage or interfere with security and safety equipment in shared areas and should not let strangers into shared areas without proper identification;
  - tether horses, ponies, donkeys or any other livestock on any open plan areas or other land owned by us or your local authority; or
  - engage in unauthorised off road motorcycling.

### 2. We'll...

- 2.1. Be responsible for making sure all tenants, including family members, lodgers and visitors, comply with the full terms of their Tenancy Agreement, to ensure all residents can enjoy their homes without fear of persistent nuisance or antisocial behaviour (ASB).
- 2.2. Not tolerate any distress caused to others by those involved in persistent nuisance and ASB. We'll pursue the full range of enforcement actions available to effectively combat the behaviour of offenders and will seek to enforce the tenancy conditions wherever necessary.

- 2.3. Commit to ensuring our ASB service is accessible to all tenants and residents. It's important that anyone who is suffering harm can access our services in a way that is convenient and appropriate to them.
- 2.4. Respond promptly, proportionately and flexibly to incidents of ASB using a multi-agency partnership approach. We'll offer support to victims and keep residents and the wider community regularly updated, as appropriate.
- 2.5. Prioritise the identification and protection of high risk or vulnerable victims of ASB. A vulnerable victim is one whose experience of ASB and its resulting harm, is likely to be more significant because of their personal circumstances.
- 2.6. Work to develop safe and confident neighbourhoods as outlined in our Customer Experience Plan to 2028 and Our Plans for the Future to 2028, alongside our partners, such as local authorities, Police, Victim Support and community groups. Our Community Safety objectives are to:
  - tackle ASB;
  - help victims and vulnerable people;
  - help reduce property (acquisitive) crime; and
  - improve neighbourhoods.
- 2.7. Aim to provide an early intervention to all reports of nuisance behaviour and will consider the use of mediation where appropriate. However, we'll, in the first instance, encourage all residents to attempt to resolve disputes themselves in a reasonable manner, respect others' rights to their chosen lifestyle and be tolerant of everyday behaviours and reasonable levels of disturbance.
- 2.8. Work with perpetrators of ASB to change their behaviour wherever possible, including working with support agencies.
- 2.9. Confidently and proportionately use tools and powers provided by the ASB, Crime and Policing Act 2014 to curb nuisance behaviour and will continue to put victims first.

We may publicise the work we do to tackle ASB and the outcome of successful enforcement actions to increase community confidence, deter further ASB and assist in the enforcement of court orders, in some circumstances.

## **Definition**

- 2.10. The term nuisance and ASB includes a wide range of activities, from those which cause minor nuisance and annoyance to those which cause significant alarm, fear or distress to others and can be motivated by a number of factors.
- 2.11. We define ASB in accordance with the ASB, Crime and Policing Act 2014 as follows:
  - Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person.

- Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises.
- Conduct capable of causing housing-related nuisance or annoyance to any person.

2.12. **'Person'** includes anyone who has the right to live in property owned or managed by us, those living in any other property in the neighbourhood, for example, owner occupiers, tenants of other landlords, and anyone else lawfully in such property or in the locality. **'Housing – related'** means any activity that directly or indirectly relates to the housing management functions of us and work that is undertaken in the day to day management of our properties and neighbourhoods. This can include:

- resident involvement;
- repairs and maintenance; and
- neighbourhood management.

2.13. We'll work with other agencies and local communities to pursue the full range of enforcement action against persistent nuisance offenders. This can include possession orders, injunctions, ABCs and demotion orders and undertakings where appropriate. We will consider possession action where there is serious ASB or where all other actions have failed to resolve ASB issues. However, our priority as a registered provider is to ensure tenancies are sustained and to avoid simply moving problems elsewhere.

2.14. In accordance with the ASB, Crime and Policing Act 2014, we will consider applying to the court for mandatory possession if one of five ASB conditions are met. Where we intend to rely on the mandatory ground for possession the tenant will have the right to a review of this decision.

2.15. We'll also work with our community safety partners to support their use of available powers such as:

- Noise Abatement Notices;
- Criminal Behaviour Orders (CBO);
- Injunctions;
- Public Space Protection Orders;
- Closure Powers;
- Community Protection Orders; and
- Dispersal Powers.

2.16. We'll work with Council and Police Teams to take appropriate enforcement action and direct resources to where they are most needed to tackle and prevent ASB.

2.17. We'll take reports of nuisance or ASB from a number of sources. For example, phone calls to our Customer Experience Team or our hubs, in writing, requests for rehousing, councillors' and MPs' enquiries, from community safety partners and through our website.

2.18. Our Customer Experience service will give residents the opportunity to report incidences of nuisance and ASB any day. Advice and assistance will be given and in certain circumstances a response will be arranged from our out of hours service to witness nuisance and provide reassurance and support.

- 2.19. When an initial report is received, we'll identify the type of nuisance that is occurring, its frequency and severity and whether it constitutes ASB, considering the vulnerability of the victim.
- 2.20. We understand a victim of ASB is vulnerable if the conduct in question causes an adverse impact on their quality of life. Adverse impact includes the risk of harm, deterioration of health, mental or emotional wellbeing or an inability to carry out normal day to day activities due to fear or intimidation.
- 2.21. ASB activities include, but are not limited to:
- actual or threatened violence against people or property;
  - domestic abuse;
  - sexual abuse;
  - foul language;
  - hate behaviour, which is intended to target a member or members of a specific identified group because of their perceived difference;
  - loud music;
  - use of insulting, threatening or aggressive words or behaviour;
  - uncontrolled pets and animals;
  - intimidating gatherings of people in public places;
  - using and selling drugs;
  - prostitution;
  - damage to property, including graffiti and vandalism;
  - nuisance from vehicles including parking and abandonment; and
  - rubbish dumping and misuse of communal areas.
- 2.22. Where appropriate, we'll respond to ASB reports by developing an action plan which will involve the resident in outlining actions to be taken and agree regular contact.
- 2.23. We recognise the anxiety and distress ASB can cause and will take appropriate measures to support residents to feel safe, secure and able to report incidents of ASB. This includes keeping in regular contact to prevent people feeling isolated and working closely with partner agencies.
- 2.24. In cases where individual residents are frightened to give evidence in court due to fear of reprisals against them, we'll seek to explore other means of evidence collection including utilising evidence from Police or partner agencies audio recording equipment and CCTV, where appropriate.
- 2.25. If action fails to stop the ASB and it's ultimately decided that court proceedings should be instigated for possession proceedings, demotion or an injunction we will ensure the resolution sought is proportionate to the behaviour of the perpetrator(s).
- 2.26. We'll ensure the evidence collected to support legal action is as strong and comprehensive as possible. We'll also apply to the courts for Certificates of Conviction where these will help as supporting evidence.

- 2.27. We'll ensure all colleagues receive relevant training and are kept up to date with changes in legislation, policies, procedures and acknowledged good practice to enable them to manage incidents of ASB effectively.
- 2.28. Where a housing applicant has a history of serious criminality comprising of unspent convictions or involvement with serious ASB, we may decide they don't qualify for accommodation in accordance with our existing Choice Based Lettings Policy. It's felt that qualification is in doubt due to past behaviour we'll undertake case reviews through a multi-agency panel.
- 2.29. We'll consider, where appropriate, providing audio recording equipment for residents who are willing to help gather evidence and will ensure the appropriate legislative requirements are met.
- 2.30. We'll adopt a harm centred approach and complete a Risk Assessment to identify if a victim is vulnerable.
- 2.31. Where we identify specific support needs for the alleged offender a referral may be made to an appropriate support agency.
- 2.32. We'll always consider issues of vulnerability where, for example, it's felt that ASB is associated with a person's disability, mental health or drug and alcohol abuse. In such cases we'll apply the relevant provisions of the Equality Act 2010 and other relevant legislation, seeking the intervention and support of partner agencies as appropriate. If the victim, or any other witness, perceives that the ASB is targeted because of their disability or other protected characteristic, we'll treat it as a hate incident.

### **3. Our assurance...**

- 3.1. We'll ensure this policy is effective through:
  - Monitoring ASB performance through our quality assurance framework (QAF), including routine case audits and performance checks.
  - Monitoring learning from complaints and sharing within the team, to strengthen practice, policy and colleague training. This information is shared with senior management teams.
  - Monitoring trends and risk patterns and escalating where appropriate, to ensure timely intervention and service resilience.
- 3.2. We'll use information from satisfaction surveys to drive service improvement.
- 3.3. We'll review our performance and service delivery in comparison with other organisations to achieve the highest standards of service delivery.

## Legislation and regulations

3.4 We'll ensure this policy complies with all relevant legislation and regulation.

- Housing Act 1996.
- Crime and Disorder Act 1998.
- General Data Protection Regulation (GDPR) – Data Protection Act 2018.
- Antisocial Behaviour Act 2003.
- Antisocial Behaviour, Crime and Policing Act 2014.
- Equality Act 2010.
- Modern Slavery Act 2015.
- Respect Standard for Housing Management.
- Vico Homes Hate Incident Policy.
- Regulator of Social Housing (RSH), Regulatory Framework for social housing in England and Wales.
- Vico Homes Antisocial Behaviour Procedure.

## Review

3.5 We'll review this policy at least three years or when changes in legislation, regulations or best practice prompt an early review.

<b>Version Control</b>			
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