



# Anti-social Behaviour Policy and Procedure Guide

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## Policy Statement

1. Home from Home Housing Association (HfH) recognises the harmful impact that anti-social behaviour (ASB) can have both on our Customers, staff and the wider community.
2. We are committed to tackling all forms of ASB at the earliest possible opportunity and promoting a culture of respect and tolerance.
3. To achieve this, we will:
  - Work to prevent ASB before it occurs. This will include raising awareness of anti-social behaviour issues and providing information to Customers
  - Respond promptly to all reports where it is alleged that our Customers, or visitors of our Customers, are perpetrators of ASB
  - Work with and support any of our Customers who experience ASB

## Definitions

ASB as defined under the Anti-Social Behaviour, Crime and Policing Act 2014 is:

- 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 the premises, or
- Conduct capable of causing housing-related nuisance or annoyance to any person

Examples of ASB include:

- Persistent noise nuisance
- Intimidation and harassment whether intended or perceived
- Threats of violence and actual violence
- Threatening language and/or behaviour
- The use of spray paints etc. for graffiti
- Racial, homophobic, sexist or other discriminatory language
- Use or trade in illegal drugs
- Use of a tenanted property for any illegal or immoral activity
- Vandalism and criminal damage
- Nuisance from vehicles
- Behaviour linked to alcohol or substance misuse

## Prevention of ASB

1. The interaction between our staff and the communities in which they are based should be one of mutual benefit and tolerance. Through working closely with us and tackling the causes which underlie anti-social behaviour, we seek to prevent ASB from occurring in the first place.
2. Examples of action we take to prevent ASB include the following:
  - Clearly worded tenancy agreements and house rules (the latter for shared accommodation) which explain that ASB will not be tolerated
  - Within our customer pack we will provide our Customer Leaflet (Appendix 1) explaining our approach to ASB, how to contact us and the action we will take should ASB occur.
  - Helping customers to identify behaviour which others may consider anti-social and providing them with support to address this behaviour
  - Working alongside other agencies, such as drug and alcohol support agencies and mental health support services, to ensure our customers receive appropriate support
  - Close liaison with partner agencies (*please see below*)

## Responding to ASB

1. Despite the preventative actions identified above, sometimes ASB will occur. When it does, we may:
  - Take all reports of ASB seriously
  - Not pre-judge the situation
  - Support Customers throughout the process
  - Advise complainants to report any criminal activity to the police
  - Work with the complainant to collect evidence relating to ASB
  - Assess and monitor risk
  - Keep the complainant informed of developments
  - Intervene at an early stage to prevent ASB from escalating
  - Implement appropriate management interventions and, where necessary, legal actions to address ASB (*please see below*)
  - Support our customers should they wish to originate a complaint of ASB

## Management Interventions

1. In dealing with ASB HfH takes a proportionate approach; we recognise that legal action should be the final option rather than the first. We will therefore attempt appropriate management interventions (non-legal actions) before pursuing any legal action. Management interventions which staff might consider include:
  - **Mediation between parties** – this may involve mediating between the perpetrator and victim to find a way forward that is acceptable to everybody. Often this provides the quickest and most effective solution.
  - **Warnings** – where the perpetrator of ASB is a PHS Customer or and they are in breach of their licence or tenancy agreement, consideration can be given to issuing a verbal or written warning if their behaviour persists.
  - **Diversionsary action** - this is a course of action intended to move perpetrators away from causing ASB. An example is a group of teenagers causing nuisance in an area where several elderly people are living. Youth services might organise some activity (e.g. a five-a-side football tournament) that would remove the group from the scene and act as a positive alternative to the ASB.
  - **Acceptable Behaviour Contracts (ABC)** - an informal contract, drawn up by staff with Customers in the early stages of ASB, with the aim of keeping the individual within acceptable bounds of behaviour.
  - **Involvement of other services** – seek the support of other service providers in instances where perpetrators have, for example, mental health issues or diagnosis, recognised behavioural problems or substance dependency issues.
  - **Environmental Health Department** - for issues relating to noise disturbance, a referral to the Environmental Health Department may be appropriate. 'Night noise' (noise between 11.00pm and 7.00am) can be punished by a fine and noisy equipment can be confiscated under certain circumstances.
  - **Counselling for individuals causing ASB**

## Legal Actions to Address ASB

2. Where management interventions fail to resolve the ASB, HFH will consider the use of legal actions. This may involve reporting the ASB to the police and acting under the Anti-Social Behaviour, Crime and Policing Act 2014<sup>1</sup>. Provisions under the Act include:
  - Community Triggers/Community Resolutions
  - Community Protection Notices

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<sup>1</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/956143/ASB\\_Statutory\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956143/ASB_Statutory_Guidance.pdf)

- Civil Injunctions
  - Criminal Behaviour Orders
  - Public Spaces Protection Order
  - Closure powers (premises)
  - Absolute grounds for possession
3. In serious cases, where all other action has failed and where the perpetrator is a HfH customer, we may consider commencing eviction procedures.

## Joint Working

4. The 2024 Crime and Policing Bill, was introduced and aims to reduce serious violence by half and boost public confidence in policing and the criminal justice system. To combat antisocial behaviour in public areas, the legislation will introduce new Respect Orders for persistent adult offenders. It will also create a duty for local partners to collaborate in tackling antisocial behaviour, with each local authority required to appoint an antisocial behaviour lead.
5. Additionally, the legislation will seek to protect young people from being lured into criminal activity and gangs by strengthening laws around child criminal exploitation. It will establish Young Futures prevention partnerships to coordinate services for youth at risk of offending, with a particular focus on tackling knife crime and address mental health issues among young people.
6. Further, provisions will ensure police have the resources to respond forcefully to domestic abuse, rape, and other sexual offences, along with changes to improve police responses to incidents of spiking.
7. The Bill is due to go through parliament later this year (2024) and we will ensure that we work with our partner agencies to support the Bill in relation to our responsibilities as a regulated housing provider as set out in the Neighbour Hood and Community Standard within the RSH's Consumer Standards<sup>2</sup>.
8. We may do this by attending and providing active co-operation to fora where ASB is a central or major component. In addition, we will work and co-operate with external agencies such as:
  - Police
  - Local authorities
  - Social Services

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<sup>2</sup> **1.3 Anti-social behaviour and hate incidents**

1.3.1 Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents in the neighbourhoods where they provide social housing.

- Probation
- Substance misuse services
- Health services

9. We will also work with multi-agency fora including:

- Community Incident Action Groups (CIAG): convened and overseen by the Community Safety Officer which each local authority is obliged to appoint. They have representatives from the police, RSLs, Youth Services, Social Services, Education, Drug and Alcohol services etc. The purpose is to monitor individuals and families known to the local services, to discuss and implement a course of action to prevent them engaging in ASB and to share information that will help these ends.
- Joint Action Groups (JAG). Similar to the CIAG but with a brief to monitor locations rather than individuals.
- Multi-agency Risk Assessment Conference.(MARAC) This is a regular, confidential, local meeting to discuss how to help victims at high risk of domestic abuse. Police, social services, health and other relevant agencies attend the meeting and agree an action plan for each victim.
- Information Sharing Protocol (ISP). A system for sharing information between statutory and voluntary services,

## Closure Notices and Orders

10. Closure notices and orders can be used by the council or the police against a premises that is causing nuisance or disorder. Such nuisance or disorder may be associated with drug use, but this does not necessarily have to be the case. A closure order can prohibit access to those who routinely live at the premises and as such could have serious repercussions for HfH as a landlord.

11. To avoid closure notices or orders being issued against our own premises, we will monitor all situations where drugs are used unlawfully or where the premises is associated with significant and persistent disorder and will take all necessary steps to prevent a situation escalating to a point where the police are required to act.

12. Should drug use or persistent disorder in a neighbouring property give rise to unacceptable disturbance, staff will co-operate with the police and other agencies to provide information relating to levels of disturbance and criminal activity.

## Dealing with Complaints of ASB

1. All complaints whether from our Customers or members of the public, will be taken seriously. It will be recorded and discussed with the Housing Manager as soon as possible. The Housing Officer will approach the Housing Manager for advice as soon as it becomes evident that the complaint relates to ASB that is serious and/or shows probability of repetition.
2. External complaints should be logged by whichever member of staff receives them and passed to the Housing Manager as soon as possible.
3. When any complaint is brought to the attention of staff, advice and assistance in recording incidents should be given to the complainant. A copy of the Customer ASB Leaflet will be provided.
4. All complaints about ASB will be collated and reported to the HfH Board on an annual basis clearly outlining the number and nature of complaints, involvement of external agencies and their outcomes.

## Response Times

5. We will aim to respond to ASB issues within the following response time:
  - **Personal** - One working day, if a Customer has been deliberately targeted. Examples include arson, gun and knife crime, hate crimes, domestic abuse, verbal abuse, harassment, and assault.
  - **Nuisance** - Three working days, if it affects more than one household, Examples include drug use and dealing, group disorder, underage drinking, and some types of noise.
  - **Environmental** – Ten working days, if the behaviour affects the environment around the Customer's home. Examples include fly-tipping, neglected gardens, pet issues, and unsanitary conditions.
6. We will agree an action plan with the Customer once we have assessed their case and we will keep them up to date on our progress. The action plan will have agreed timescales of when we expect to solve the issue.
7. We will investigate using the appropriate legal powers available to us to help tackle issues

## Appendix 1: Customer ASB Leaflet

### What is anti-social behaviour?

Anti-social behaviour (ASB) is behaviour which has caused or is likely to cause harassment, alarm or distress.

It can affect one person or a whole neighbourhood and covers many things such as illegal behaviour, violence, harassment, youth nuisance and sometimes noise.

Examples of anti-social behaviour can include:

- **Hate crimes.** Harassing or causing harm to people based on their race, religion, ethnicity, gender, or other protected characteristics
- **Crime/illegal activity.** Unlawful acts that break the law, like drug dealing and consumption
- **Vandalism.** Damaging or defacing property, such as graffiti or breaking windows
- **Bullying.** Repeatedly harassing, intimidating, or threatening someone
- **Public disturbance.** Loud and rowdy behaviour, public drunkenness, or causing other disturbances
- **Public intoxication.** Alcohol or drug use in public places, leading to disruptive or dangerous behaviour
- **Assault.** Physically harming or threatening to harm someone
- **Theft.** Stealing someone's property or belongings without permission
- **Harassment.** Repeatedly bothering or tormenting someone through unwanted attention, actions, or communication
- **Fly tipping.** Illegal dumping of waste or rubbish

### What is nuisance noise?

Noise nuisance is more to do with excessive loud music, parties, or noise disturbances that disrupt neighbours and the community. Even though it is slightly different from anti-social behaviour we manage both under the same processes.

Examples of nuisance noise include:

- **Loud music.** Playing music at a high volume, including music from vehicles, in a residential area
- **Construction work.** Noisy construction activities like drilling, hammering, or using heavy machinery late at night or early in the morning
- **Parties.** Hosting loud parties with blaring music and shouting that disturbs the peace
- **Barking dogs.** Persistent and loud barking or howling
- **Car alarms.** Continuous car alarms going off
- **Traffic noise.** Loud engines, honking of horns or sirens that disrupt a quiet neighbourhood
- **Noisy neighbours.** Frequent arguments, shouting, or slamming doors

We deal with excessive noise within our anti-social behaviour (ASB) process and will manage generic household noise under our neighbourhood management process.

### **Can I make a report without saying who I am?**

You can report anonymously. We would never share your details with the neighbour you reported unless you requested this and were happy for us to do so.

We would prefer you to give your contact details as we may need more information. This could help us prove the issue and carry out the correct action.

By providing your details, you can receive regular progress updates. We can also contact you to agree an action plan to help solve any issues.

In some cases, there may be safeguarding issues. We may have to inform colleagues or the emergency services if we think you are in danger.

### **What can I do about anti-social behaviour and nuisance noise?**

Try to have a conversation with your neighbour in a calm, polite and reasonable manner to try and understand the other customer's point of view. Show willingness to listen and to come to a compromise. Never go around with the intention to make it worse and cause an argument.

Make notes of any conversation; this may be needed later to show you tried to resolve the matter.

If you do not feel comfortable talking to your neighbour, then contact us and we will decide next steps depending on the circumstances.

If you do report issues of anti-social behaviour or nuisance noise, we may then ask you to collect evidence of ongoing issues.

We may ask you to collect evidence like:

- Recordings of noise. You can download [The Noise App](#), which sends recordings directly to us. Please let us know if you would like to register
- Keep a diary of events which notes the dates and times of any incidents
- Photos that can support your diary entries

### **What is not considered anti-social behaviour or nuisance noise?**

Some problems may disturb, annoy or upset you, this is considered as a neighbourhood management issue. This is different to anti-social behaviour, which could cause harassment, alarm or distress.

Examples of neighbourhood management issues are:

- Banging doors or closing doors within reason
- Cooking smells
- Cigarette smoke smells
- Inconsiderate parking
- Children playing, including ball games

- Young children or babies crying which do not raise any safeguarding concerns
- Young children or babies crying which do not raise any safeguarding concerns
- Reasonable day to day living noise
- DIY in reasonable hours
- Moving furniture
- Dogs barking, an isolated incident or for a short period of time
- Social media, gossip or email disputes that are not harassment or a hate crime
- One off parties, celebrations, barbecues, or household gatherings at reasonable times
- Using household appliances such as washing machines, vacuum cleaners, showers, toilets, or lawnmowers at reasonable times
- Walking around the property, including going up and down the stairs
- Young people gathering socially, unless they are being intimidating
- Lifestyle or cultural differences like noise from coming home from shift work, meditation, praying and bins not being back

If you are bothered by any of these issues the first thing to consider is how unreasonable your neighbour is being. It may be best to discuss the issue with family or friends before contacting us about it.

Most neighbours do not mean to irritate others and are sometimes unaware they are doing it. If it is persistent rather than a one-off incident, then prolonged noise can impact our day-to-day living and become an anti-social behaviour issue.

### **How to report anti-social behaviour or nuisance noise**

We would never expect you to chat with a neighbour or handle cases of anti-social behaviour or nuisance noise if you do not feel safe, or if

criminal acts have been carried out. You can contact us using any of the following methods

- Talk to a member of staff at our Head Office, at 230 Portway, Stratford, London E15 3QY; we have an open-door policy during office hours, Monday - Friday, 9.00 - 17.00.
- Speak to a member of staff by phoning our head office on 020 8472 7711
- Send us an email to [mail@hfhhousing.org](mailto:mail@hfhhousing.org)
- Send us a text message to 07958 112341

In some cases, you might have to report issues to the police or local council.

If you are in immediate danger, phone the police on 999

### **What happens after you report anti-social behaviour and nuisance noise**

We take your reports of anti-social behaviour and nuisance noise seriously, which is why we follow this set of commitments:

- We make sure to take steps to support anyone experiencing anti-social behaviour or noise nuisance
- We acknowledge reports of anti-social behaviour and noise nuisance within one working day
- We prioritise reports of anti-social behaviour and noise nuisance based on risk to customers. We carry out a risk assessment by asking questions on the impact it has had to you and the ongoing issues it causes.

### **How long will it take us to investigate?**

**Personal** - One working day. If you have been deliberately targeted. Examples include arson, gun and knife crime, hate crimes, domestic abuse, verbal abuse, harassment, and assault.

**Nuisance** - Three working days. If it affects more than one household, Examples include drug use and dealing, group disorder, underage drinking, and some types of noise.

**Environmental** – Ten working days. If the behaviour affects the environment around you. Examples include fly-tipping, neglected gardens, pet issues, and unsanitary conditions.

- We then agree an action plan with you once we have assessed your case and keep you up to date in a way that suits you. The action plan will have agreed timescales of when we expect to solve the issue
- We investigate using the appropriate legal powers available to us to help tackle issues
- We make sure HfH staff are trained so the service you receive is the best it can be
- We look to prevent issues from happening in the future. This may include working with other organisations to help improve your quality of life

### **What is an anti-social behaviour (ASB) case review?**

The Anti-Social Behaviour, Crime and Policing Act 2014 introduced specific measures to improve the way agencies work together to tackle anti-social behaviour. These include ways of giving victims a greater say in how issues are dealt with. The **anti-social behaviour (ASB) case review** (formerly known as the Community Trigger) gives victims of anti-social behaviour or hate crimes the right to request a review if they are not satisfied with how their case has been handled.

If you (or others) have reported an incident three or more times within a 6-month period, you can ask for an anti-social behaviour case review through your [local council](#).

This brings agencies together to investigate how your case was handled. The aim is to stop issues from escalating and fix the problem.

If your review request is accepted, the process usually takes 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, is prejudicial, malicious, or unreasonable.

## **Appendix 2 Legislation, Regulation and Linked Policies**

### **Legislation and Regulation**

- Regulator of Social Housing's regulatory framework
- Crime and Disorder Act 1998
- Data Protection Act 2018
- Antisocial Behaviour, Crime and Policing Act 2014
- Care Act 2014
- Housing Act 1985
- Housing Act 1988
- Protection from Harassment Act 1997
- Race Relations Act 1976
- Data Protection Act 1998,
- General Data Protection Regulation
- Equality Act 2010
- Human Rights Act 1998

- Home Office: ASB powers, statutory guidance for frontline professionals

### **Linked Policies**

- Complaints Procedure
- Equality and Diversity Policy
- Safeguarding Policy
- Data Protection

## Document Information Sheet

<b>Policy or Procedure Title</b>	Complaints Policy and Procedure
<b>Version and Active Date</b>	Version: 01      Date: 03/03/2025
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