

ANTI-SOCIAL BEHAVIOUR POLICY

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Executive Summary:

This policy outlines our approach to handling anti-social behaviour (ASB). It explains how we will work with our community, stakeholders, and partners to address ASB, recognizing that it is a collective responsibility. RBH Customers have helped to shape and influence this Policy through customer voice and consultation sessions. Our goal is to foster a community where everyone works together to tackle ASB and improve the quality of life for all.

Policy Grouping / Directorate	Customer & Community	
Owner Name / Job Title	Hayley Stockham / Director of Neighbourhood Services	
Author Name / Job Title	Tess Ash / Head of Neighbourhoods	
Reviewed by Policy Team	Date: 30 th April 2025	Name: Sarah Wilson
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Notes:		

1 Introduction and Aims

- 1.1 This policy details our approach to handling ASB reports, ensuring that those reporting ASB are assessed for risk and provided with appropriate support. It applies to all RBH colleagues and customers.
- 1.2 It describes how we will use prevention and early intervention to address ASB and support those causing it. If early actions fail, we will use formal tools to mitigate significant risks.
- 1.3 This policy applies to all RBH colleagues managing ASB and serves as a guide for customers. It supports our mission to provide quality homes and services and create safer communities, as set out in our Corporate Strategy 2025- 2028.
- 1.4 ASB will not be tolerated, and we expect our customers to act reasonably and be respectful of different cultures, lifestyles and values.
- 1.5 The aims of the policy are:
 - To define what we mean by ASB and what customers can reasonably expect from us.
 - To set out the way in which we will use our tools and powers when managing and responding to reports of ASB.
 - To encourage our customers, where possible and safe to do so, to try to resolve their disputes themselves without the need for RBH to be involved as this can often create unnecessary conflict.
 - To ensure relevant colleagues are trained and equipped to respond quickly and effectively to reports of ASB, and to prevent reports escalating into more serious incidents.
 - To ensure that information is treated confidentially.
 - To promote fair and equal treatment for everyone.
 - To work with partner agencies to tackle the underlying causes of anti-social behaviour.
 - To use our professional judgement as to whether reports of ASB can be realistically investigated and resolved so we can provide clear responses to our customers.
 - To only take action that is reasonable and proportionate and be clear with customers on the range of interventions and solutions available.
 - To work collaboratively with partners and stakeholders to address the issues associated with ASB and Community safety

2 Context

- 2.1 This Policy meets the requirements set out by the Equality Act 2010 and is compliant with Section 218 A of the Housing Act 1996 and Section 12 of the Anti-social Behaviour Act 2003. This Policy provides a framework to ensure we meet the Regulatory Consumer Standards in relation to the Neighbourhood and Community Standard, as well as Tenant Satisfaction Measures Standard introduced in April 2023.

2.2 Consumer Standards

Neighbourhood & Community Standard

- Safety of shared spaces
- Local co-operation
- Work in partnership to tackle ASB and hate Incidents
- Work co-operatively to tackle domestic abuse

3 Values

- 3.1 The policy fits with the mutual values of RBH:
- 3.2 **Putting People First:** Customers can report ASB in a variety of ways. RBH will always respond quickly to reports and treat them seriously
- 3.3 **Doing What We Say:** We have clear guidance for our colleagues who deal with reports of ASB, and we regularly check that these processes are being followed
- 3.4 **Working As One:** We have strong working relationships with our partners and are striving to build even stronger relationships with our customers
- 3.5 **Delivering Quality:** We train all relevant colleagues in ASB case handling and have effective quality assurance frameworks in place to ensure good, quality services are being delivered
- 3.6 **Open & Transparent:** We always ask our customers for feedback and review the comments and suggestions they make to help further improve our service delivery

4 Policy Statement

4.1 Definitions

This Policy draws upon the definition of ASB as stated in the Anti-Social Behaviour, Crime and Policing Act 2014:

“conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises” or “conduct capable of causing housing-related* nuisance or annoyance to any person.”

*‘Housing related’ means directly or indirectly relating to the housing management functions of a housing provider

RBH will rely on this definition in our assessment of a report of ASB and will also rely on the nuisance and annoyance clauses within our tenancy agreements.

Our customers are responsible for:

- their own behaviour.
- the behaviour of any other person living in the tenancy.
- the behaviour of any person visiting the tenancy.

- 4.2 ASB can vary widely and is assessed based on what most reasonable people consider unacceptable, such as:

- Hate-related incidents (where the behaviour is motivated by hostility and prejudice based on race, ethnicity, nationality, sexual orientation, gender, disability, religion, or age).
- Domestic abuse and violence, including coercive and controlling behaviour.
- Violence or threats of violence against people or property.
- Serious vandalism and damage to property.
- Repeated verbal abuse, harassment, intimidation or threatening behaviour.
- Extreme and excessive noise.
- Persistent pet and animal nuisance.
- Fly tipping.
- Offensive graffiti.

4.3 Low level disagreements between neighbours where there is no breach of tenancy will generally not be considered as ASB cases. However, we may offer mediation and other support to help customers deal with these issues themselves.

4.4 We recognise that sometimes customers will report certain types of behaviour as anti-social, but following robust assessment, we may conclude that the reported behaviour is not antisocial.

4.5 We will not generally investigate the following unless there is clear evidence that there are unacceptable levels of behaviour taking place which is causing serious harm. Examples of reports we will not investigate under this ASB policy include:

- Babies crying
- Children playing outside
- Children arguing
- Arguments with neighbours and friends
- Low risk disagreements which neighbours should reasonably be able to resolve themselves
- Giving dirty looks or stares
- Reasonable actions that are considered to be part of everyday activities
- Reasonable household noise such as closing doors, going up and down stairs, people talking, or people walking around their home
- Name calling and social media disputes unless it is deemed to be harassment
- Unpleasant smells
- DIY activities at reasonable times
- Isolated and short incidents of dog barking
- Cats roaming in gardens
- Disputes about parking

4.6 We will use professional judgment to assess reports and may refer parties to mediation or provide conflict resolution advice.

4.7 **Criminal Activity**

4.7.1 In cases where illegal activity, including drug use, are reported and there is no clear evidence of associated ASB, the reporter will be advised to instead report directly to the police or to Crimestoppers.

4.7.2 We have no recourse or powers to investigate or prosecute crime. If customers witness incidents of a criminal nature they must report this to the Police.

4.7.3 In relation to other types of criminal activity, we at RBH will work with the police as the lead agency. In the event of a successful prosecution, RBH may consider our own legal action. This will be decided on a case-by-case basis.

4.8 **Noise Related Reports**

4.8.1 Most noise reports involve ordinary household noise and are not classed as ASB.

4.8.2 All noise reports will be assessed to determine if they meet the ASB threshold. This will establish the cause and source of the noise, the persistence of the noise and the volume of the noise.

4.8.3 If the noise related activity does not meet the threshold of ASB, the noise related report will be dealt with through our neighbourhood and tenancy management processes, and not our ASB process.

4.8.4 This approach is in line with the Housing Ombudsman's recommendations in the Spotlight report of October 2022.

4.9 **Hate Crime**

Incidents of Hate crime must be reported to the Police. We will support customers who are being targeted due to prejudice and will consider using our powers to challenge those responsible where reasonable and appropriate to do so. We will treat all Hate related reports as urgent.

4.10 **Prioritisation**

4.10.1 RBH will assess the priority of the report based on the risk to the customer and the community. We will prioritise cases into Urgent or Standard categories.

4.10.2 **Urgent-** for example recent threats of violence or actual violence, or serious vandalism to property. The response time will be one working day.

4.10.3 **Standard –** for example reports of verbal abuse, harassment and intimidation, excessive and persistent loud music, property damage, persistent rowdy disturbances, and other persistent and unacceptable behaviour. The response time will be five working days.

4.11 **Customer Responsibilities**

4.11.1 We expect our customers to take responsibility for their own behaviours and actions. In situations where there is a dispute or disagreement between

neighbours, we expect customers to try and resolve things themselves, unless there is a serious risk of harm, violence or abuse.

- 4.11.2 We will offer advice on how they might approach their neighbour to resolve the conflict or suggest a referral to mediation. We will engage with our customers and encourage them to take responsibility for minor personal disputes with their neighbours.

4.12 **Our Approach**

4.12.1 Prevention and Early Action

We will deal with each case on its own merits and look at early intervention or prevention remedies first, where safe to do so. This may include:

- conflict resolution
- mediation
- restorative solutions
- written agreements
- accessing diversionary activities or support

- 4.12.2 All parties involved will be encouraged to engage and participate to stop incidents from escalating.

4.13 **Formal Actions**

- 4.13.1 We will only take enforcement action if it is reasonable and proportionate to do so. Sometimes it may be more appropriate for a partner agency to use their powers. This will be decided on a case-by-case basis.

- 4.13.2 If court action is required, we will support throughout the court process and beyond.

- 4.13.3 There may be some cases reported to us where we are unable to act. In such cases, the reasons for this will be explained clearly, and we will always try to signpost to other agencies where this may be relevant.

- 4.13.4 We will not tolerate abuse towards our colleagues, or our contractors or anyone else providing services on our behalf. This includes threats of violence, verbal abuse and intimidation, harassment and actual violence. In such situations RBH will always take appropriate action.

4.14 **Cross Tenure Issues**

We collaborate with other providers, the police, and local authorities to address community safety issues. If an RBH customer is experiencing ASB from a Non RBH private address or an owner occupier, they should still report the problem to us and we will support our customer in reaching a resolution

4.15 **Partnership Working**

Multi-agency collaboration is essential for tackling ASB. We work in partnership with Greater Manchester Police (GMP) and other agencies to ensure that the best possible individual and family support is developed, delivered and evaluated. We work with a broad range of agencies offering specialist support according to need. We are also represented on relevant strategic groups to play an active role in tackling ASB and criminality.

4.16 **Managing Risk**

We will assess the risk level of each case using the locally agreed Risk Assessment Matrix (RAM) and make referrals where appropriate into the Anti-Social Behaviour Risk Assessment Conferences (ASBRAC) and attend the conference when a referral has been made. Risk Assessments will be undertaken regularly throughout the life of a case.

4.17 **Safeguarding**

Our Safeguarding Policy ensures that all our colleagues are trained to identify and prevent safeguarding issues and understands the different aspects of safeguarding that they have a duty to report.

4.18 **Vulnerabilities and Support needs**

If the reporter or the person allegedly causing the ASB has any support needs, or vulnerabilities, these will be discussed with the case officer in a sensitive manner, and the case officer will encourage engagement with appropriate support services. We do have access to language line and will use this service for those customers who require translation. Victims and witnesses will receive ongoing support from their case officer and where appropriate will be signposted to more specialist support agencies if required

4.19 **Publicity**

Where appropriate, we will publicise work carried out by RBH and its partners to improve community confidence and to set expectations of behaviour.

A range of advisory guidance and ways to report or request services for ASB can be found on our website.

4.20 **Data Protection and Information Exchange**

Where required we will share information with our partners for the purposes of prevention and detection of crime and disorder in accordance with the provisions of the Data Protection Act 2018 and any other relevant legislation. To facilitate this, we will enter into Information Sharing Protocols as required.

4.21 **Training our Colleagues**

We will ensure that relevant colleagues are able to access appropriate training as well as updates on relevant legislation and changes in national policy. We are committed to continuous personal development and training and will access both internal and external training appropriately

4.22 **Complaints**

Any party involved in an ASB case can make a complaint directly to RBH if they are not satisfied about how their case has been handled. When a complaint of this type is made RBH will follow the process set out in our complaints policy and process.

4.23 **ASB Case Review**

- 4.23.1 The Anti-social Behaviour, Crime and Policing Act 2014 introduced specific measures designed to give victims and communities a say in the way that complaints of anti-social behaviour are dealt with.

- 4.23.2 The ASB Case Review is a process customers can use if they have reported ASB and think that no action has been taken. This process is managed by Rochdale Borough Council and customers will need to contact them if they wish to have their ASB case reviewed through this process.

5 Monitoring

- 5.1 We will monitor and learn from the feedback we receive about how we manage and respond to cases of ASB to ensure a high standard of our services, in line with the Tenants Satisfaction Measures Standard.

Individual cases will be closely supervised and managed on a regular basis.

Performance information will be collected and shared with relevant colleagues.

6 Review

- 6.1 All RBH strategies, policies, service standards and procedures are reviewed on a regular basis to ensure that they are 'fit for purpose' and comply with all relevant legislation and statutory regulations.
- 6.2 This policy will go through the full policy approval process every three years and will undergo a desktop review annually. This is to ensure that it is fit for purpose and complies with all relevant and statutory regulations.

7 Links with Other RBH Documents

- 7.1 This policy links to the following policies and strategies:

- ASB guidance notes for colleagues
- Domestic Abuse Policy
- Safeguarding Policy
- Lettings Policy
- Complaints Policy

External Documents:

- Regulator for Social Housing Neighbourhood and community Standard
- Regulator for social housing Tenant Satisfaction Measures Standard April 2023
- Housing Ombudsman Spotlight Report regarding Noise October 2022

Legislation:

- Anti-social Behaviour, Crime and Policing Act 2014
- Equality Act 2010
- Housing Acts 1985, 1988 ,1996 and 2004
- Anti-social Behaviour Act 2003
- Crime and Disorder Act 1998
- Data Protection Act 2018
- Protection from Harassment Act 1997
- Policing and Crime Act 2009
- Police Reform and Social Responsibility Act 2011
- Criminal Justice Act 2003

- Safeguarding Vulnerable Groups Act 2006
- Mental Capacity Act 2005
- The Human Rights Act 1998
- Domestic Abuse Act 2021

8 Inclusivity statement

- 8.1 We are dedicated to fostering an inclusive and equitable environment for all. We ensure that everyone is valued and respected. Our policies aim to be inclusive, and will comply with UK laws, including the Equality Act 2010, to create a diverse and supportive environment for people to thrive.
- 8.2 We understand not everyone absorbs information the same way. If you have any difficulty understanding or interpreting this document please email people@rbh.org.uk or call Freephone 0800 027 7769. We will work with you to ensure your individual needs are met.