

# Anti-Social Behaviour & Hate Crime Policy

## Policy ref:

**Policy author/holder:** Head of Neighbourhoods

**Date approved:** March 2023

**Approved by:** Executive Team

**Effective date:** April 2023

**Review date:** March 2027

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## 1 Purpose and anticipated outcomes

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This policy sets out LiveWest's approach to supporting our customers in preventing and tackling Anti-Social Behaviour (ASB), Harassment and Hate crime. Unless we say otherwise, we use the term ASB to incorporate harassment and hate crime.

We recognise that ASB can have a significant impact on the lives of our residents, does not always just affect those who are directly involved in the situation and can have a disruptive effect on communities. We take ASB seriously and are committed to taking proportionate action, using the powers available to us as a landlord where we consider that they will resolve an issue. However, we believe that this responsibility is shared by our residents and other agencies and in many cases, it may not be appropriate for LiveWest to intervene or take the lead. We know that this may be challenging however, we believe that it is important that complainants and victims of ASB are clear about both the circumstances in which we can intervene and the sanctions available to us. We will not raise expectations that we can act where we cannot do so or where primary responsibility and powers lie elsewhere.

### Supporting Neighbourly relationships

We are fully committed to supporting our residents to resolve their ASB issues. Where we receive ASB reports, we will provide advice and support to ensure that complainants understand that often the quickest and most effective resolution as with all other tenures is for neighbours to resolve disputes locally themselves; we are able to fund mediation to assist with this.

### LiveWest Intervention

As a landlord there are limits on the action, we can take with this in mind we will intervene only where it is appropriate for us to do so and where the customer is agreeable to us contacting the perpetrator and is willing to provide evidence of the ASB to us. Where we do intervene, it will be in partnership with other agencies and based on the likelihood of harm to the customers.

Where a complainant is identified as vulnerable, the appropriate support will be given and where necessary a safeguarding referral will also be made.

We will work closely with partner community safety organisations to encourage them to take the lead in tackling crime and serious ASB in our communities and to ensure a collaborative approach. In doing so, we will tailor our response to help avoid negative stereotypes towards social housing customers. Working alongside our residents and partners to resolve ASB will help us build strong and safe communities, creating place where our customers want to live.

The policy supports our values:

- Customer focussed - We work with our customers to find solutions and do what we say we will do
- Challenge convention - We are resilient and are not afraid of change
- Together we deliver - We work together to improve outcomes

Our policy will help us achieve the following outcomes:

- Customers who feel safe
- Customers who trust us
- Customers who understand their responsibilities and those we have as their landlord
- Customers who can sustain their tenancies
- Strong relationships with our partners

## 2 Scope and definitions

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This policy applies to all general needs, affordable rent, sheltered and supported housing tenants living in a home owned, part owned or managed by LiveWest. It also applies to our licensees, leaseholders, shared ownership, market rent and commercial premises albeit our intervention will be proportionate and may vary depending on the type of tenure and seriousness of any breach.

Our Tenancy and Licence Agreements have clauses regarding anti-social behaviour and clearly set out what is expected of our customers and where we will help our customers obtain the right skills they need to successfully manage a tenancy. We do expect our tenants, shared owners, and leaseholders to comply with their terms and conditions and to:

- Ensure that they, their family and visitors to their home, act in a considerate and reasonable way to others living in their community.

Where other providers manage homes and neighbourhoods on our behalf, we expect them to follow their own policies which should meet the expectations and intent of this policy.

### 2.1 Definitions

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
- 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, that is, directly or indirectly relating to our housing management function.

We will investigate and if appropriate, act where the anti-social behaviour is persistent, ongoing, and preventable or is a single serious incident that has been reported to the police and other agencies that comes within the above definitions.

## **2.2 Hate Crime and incidents**

We define a report as a hate incident if the victim or anyone else believes that it was motivated by hostility or prejudice based on one of the following things:

- Race, skin colour, ethnic origin, nationality
- Religion or faith (or lack of religious belief)
- Gender identity (including resentment of transgender people, transsexuals, and transvestites)
- Sexual orientation (including homophobia)
- Disability (including physical disabilities, sensory impairments, learning disabilities and mental health issues)

Incidents reported may also be hate crimes. Hate Crime is a criminal offence, and we will support our customers to report this to the police and we will then work closely with them to reduce the risk of harm.

We will take a proportionate response to any hate crimes or incidents reported to us, recognising the seriousness of the report and the risk of harm. We will make sure our ASB experts work with specialist agencies such as S.A.R.I. (Stand Against Racism and Inequality) to both support our customers and act as our critical friend.

## **3 Summary of Policy**

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In responding to reports of ASB and hate incidents/crime, we will take a proportionate response to incidents reported to us and will consider the following:

- Personal circumstances of customers involved
- Any history of incidents previously reported to us
- Interventions that we have already undertaken or that are suitable
- Information and evidence available to us
- Relevant actions or interventions being undertaken or considered by other agencies

In line with the terms of their tenancy and lease agreements, all our customers are responsible for the actions and behaviours of their household and visitors. Where actions and behaviours cause conflict but are the result of lifestyle differences, we expect residents to show a degree of tolerance.

Better outcomes are achieved where residents take responsibility for resolving minor personal disputes and we expect residents to raise their concerns directly with their neighbour; we will offer advice on how to approach their neighbour in a “neighbourly way.” We may also offer a mediation service as a tool for neighbours to come to agreement.

As a landlord we acknowledge that there are some occasions when this will not be appropriate due to circumstances of either or both parties, for example where there are vulnerabilities. In these cases, we will investigate and take any appropriate action, for example we may offer to be present during the conversation to support the neighbour or work in partnership with other agencies providing support. When the ASB relates to suspected criminal activity we will expect customers to report this to the police so that they can take appropriate steps to investigate.

Except in profoundly serious cases, our initial intervention will aim to work with those responsible for ASB and stop the problem behaviour, prevent re-occurrence, and achieve effective and long-lasting solutions. We may not be able to assist our customers in resolving all ASB and where we cannot, we will primarily focus on reducing the risk of harm by working with other agencies.

Where we have a high concentration of ASB incidents in a geographical area we will work creatively with our community investment teams and other agencies to pool resources, targeting those areas with the greatest need.

### **Reporting**

We will offer a wide range of options to report ASB including through face-to-face contact, our website, mobile apps, telephone, and emails.

When our customers report incidents to us, we expect them to do so as they occur as we are unlikely to be able to consider any action if the report relates to historic events. We also expect complainants to assist us to review cases and to provide evidence such as witness statements where requested.

We will provide support and assistance to our customers signposting them to those agencies who can help them resolve ASB in their neighbourhood; we will raise awareness of the Community Trigger where they feel unheard.

### **Case management**

Where ASB is reported to us our response to allegations will be robust and proportionate. We will aim to resolve most incidents through early intervention by using a range of tools such as warnings, acceptable behaviour/parenting contracts, referrals to other statutory and voluntary agencies, community resolution and mediation services.

We will conduct a Case Review when something significant has happened so that we reduce the risk of harm to our customers. This case review would normally be an internal review but, where necessary, could also involve third parties and occasionally a full multi-agency review depending on the seriousness of the case.

We will, where appropriate, seek the co-operation of statutory agencies: police, social services, and local authority, in carrying out their duties to protect the public and will commit to working in partnership with residents and other agencies.

### **Escalation**

We will aim to minimise homelessness and seek to challenge and change behaviours using tenancy sustainment and the tools available to us as a landlord. We will only consider eviction as a last resort.

This might be where the anti-social behaviour is of a serious nature, where other action has been unsuccessful, or a customer has been unable to sustain a fixed term or starter period of their tenancy.

Where the behaviour is of a criminal nature, it is likely that the police will be the lead agency in the investigation. In these cases, we will support and work with them and our actions may be guided by their findings and outcomes. When someone living in or visiting one of our homes is convicted of a serious offence, we will review the case and focus on the risk to the community when considering what action is appropriate to take.

If there is insufficient evidence either from LiveWest's investigations or from other agencies, to support ongoing ASB and convince a court on the balance of probabilities that enforcement action is reasonable, we will not commence or pursue it, even if this is at odds with the reporter's wishes.

### **Alternative housing**

We aim to manage and resolve ASB through working in partnership with other agencies. Where a customer wishes to consider alternative housing, we subscribe to the free House Exchange service <https://www.houseexchange.org.uk/>

Alternatively, customers can seek advice from their local authority regarding housing options through their choice-based lettings scheme (CBL).

**Immediate threat and unmanageable danger to life** – in these circumstances where other actions cannot mitigate the risk, we will consider whether we have suitable alternative accommodation which we can offer. We will need to work closely with the customer and CBL and obtain supporting evidence from the police.

#### **3.1    What we consider to be ASB**

Appendix 1 provides information on the type of issue reported to us. All these issues could be perceived as ASB by the customer but some of these we consider as minor incidents which would not be ASB, and we define as a tenancy management issue or lifestyle difference – these will be dealt with differently. When we receive a report, we will be clear whether we will treat this as ASB, a tenancy management issue or if it is because of a lifestyle difference.

Where we believe this to be a tenancy management issue, we will follow our Neighbourhood Management procedures to manage customer expectations and offer advice and guidance, which could include reminding our customers of their responsibilities within their tenancy agreement, lease, or licence.

Where lifestyle differences and parking disputes are reported to us, we will be clear with our customers and will offer appropriate signposting at the first point of contact.

Where wider issues across a neighbourhood are reported, we may consider alternative approaches to resolution such as referring customers to mediation services, introducing parking management solutions, surveillance, and CCTV cameras.

In cases where persistent disagreements between two or more sets of neighbours or their household members are adversely impacting on the wider neighbourhood, we may work with other agencies or independently to act against all relevant parties concerned.

### **3.2 Reports of misuse of illegal substances**

We are committed to working with the police to support the wider “war on drugs” campaign. As this is a criminal offence customer reporting misuse of substances should be advised to contact the police and report their concerns; we will do all we can to support any police enquiries and to act where there is evidence to do so – if we are made aware of reports of drugs use, we will also contact the Police. Our actions will be based on the “risk” to the community, and we will prioritise incidents connected to County Lines and utilise our ASB experts to lead on these cases.

### **3.3 Cannabis**

Cannabis is an illegal drug, and the use, supply or cultivation of cannabis is a crime and should be reported to the police.

We will act in response to reports of cannabis misuse/cultivation where this has been reported and logged with the police and they are acting as the lead agency. We will be proactive in our approach through customer visits and routine estate inspections and will support the police with enquiries and initiatives which will include enforcement action where there is evidence to support cannabis misuse/cultivation.

Cannabis cultivation is not only illegal and a breach of tenancy, it is also a fire risk. To cultivate cannabis a huge amount of electrical equipment is required to generate heat, this massively increases the risk of a fire which could place neighbouring homes at risk; in such cases, we will consider emergency action to manage the risk.

### **3.4 Evidence**

When investigating ASB reports it is important for us to obtain evidence to support action that we take; evidence can take many forms and would need to be tested in a court environment for validity:

- **Noise/Mobile Apps** - We would need to identify that the ASB recorded is persistent and ongoing which is why we would need to show a pattern of ASB over a period and work with other agencies such as environmental health to determine whether the ASB reported is also a statutory nuisance.
- **Recordings/videos** - Recorded evidence can be useful where it demonstrates a crime being committed and has a date and time on the recording. It is important that the recordings are not invasive and do not demonstrate a pattern of repeat recording which could be considered as stalking.
- **Photographs** - These would need to have a time and date on them and demonstrate that ASB is being committed.
- **Diary Sheets** - These are used as a written record of ASB, we can accept this evidence in other ways where a customer is unable to complete diary sheets.
- **Witness Statements** - These can be used to support a court case or a significant incident that has occurred.

- **Community Impact Statements** - These are provided by the police to demonstrate the impact of a person on a neighbourhood.
- **Partnership actions** - This could be court action/outcomes taken by the police/other agencies and is the strongest evidence available to us.

### **3.5 Prevention, Deterrence and Support**

We believe prevention and deterrence is preferable to intervention. To prevent ASB and hate incidents from occurring and escalating, we will use various tools including pre tenancy risk and support assessments, local lettings plans, starter tenancies, estate inspections and home visits.

Our vision is a “Home for Everyone” occasionally we will support local authorities and provide a home for higher risk customers, we will work closely with the customer and other agencies to complete a risk assessment including the support needed for the customer to successfully sustain their tenancy. We are committed to tackling Stigma in Social Housing and providing customers with opportunities, we will not tolerate behaviour that targets customers due to protected characteristics, status or past behaviours and are committed to challenging this behaviour.

We will also aim to support neighbourhoods and communities impacted by ASB and hate incidents/crimes through a mix of targeted community development and methods to improve community safety. Where a community is or has been impacted by ASB we will help to restore balance which might include a range of interventions including community events, surveillance, CCTV cameras and estate inspections/patrols.

Although we are unable to give legal advice, we will work closely with partners to support witnesses in both reporting incidents and giving evidence in court. Our expectation is that customers reporting ASB will engage with the relevant statutory agencies and attend court as witnesses if required to do so. This may include requesting specific measures at court and the use of professional witnesses where there is a serious risk to person or property through giving evidence in any proceedings. We can offer support to help customers understand the processes involved and how this will impact on them. We can also provide details of other agencies that offer support such as Victim Support and offer support through our Tenancy Sustainment Team.

We will also work with partners; to achieve successful outcomes it is important that we support those who cause ASB to understand the impact of their behaviour and to modify it. The expectation is that we prevent escalation, sustain tenancies and support customers in changing their behaviour.

### **3.6 Mediation**

Mediation is a highly effective way of resolving disputes between neighbours. Although direct mediation is desirable, a mediator can provide a service called “shuttle mediation” which would not require parties to meet.

Mediation is voluntary and requires the consent of both parties. Our expectation is that where we recommend mediation, customers will look to engage; we may look to close a case where a customer refuses to engage with mediation.

### **3.7 Communications**

We recognise communication is central to supporting people experiencing ASB and commit to providing regular individually tailored updates on case progress. We will also discuss and inform those impacted by ASB of any intention to close our investigations and will measure how satisfied customers are during the period when the case is open and following closure of the case.

Working closely with our communication team we will positively promote ASB stories and campaigns and look to increase awareness of actions we take.

### **3.8 Take a Stand Campaign**

Although Domestic Abuse is not categorised as ASB, we accept that sometimes when ASB is reported to us it may be a consequence of Domestic Abuse. We have signed up to the Chartered Institute of Housing (CIH) “take a stand” campaign to support people experiencing Domestic Abuse. As part of this campaign, we have a separate policy which sets out how we will work closely with internal support teams and external agencies including the police and social services to help individuals.

Safeguarding is everyone's responsibility where a customer is experiencing ASB they should consider whether there is a person at risk and contact the police immediately if this is the case.

Our separate Domestic Abuse Policy and Procedure provides support to our customers who report an incident to us and where they are at risk.

### **3.9 Hate Crime/Incidents**

We will not tolerate hate crime/incidents towards customers or colleagues, we will treat incidents seriously and investigate them in a fair and sensitive way. Where a crime has been committed this should also be reported to the police directly or indirectly through a third party such as Stand Against Racism and Inequality (SARI).

Customers reporting a hate related incident an ASB expert will respond within 24 working hours to log the incident. We recognise that not every reported hate incident will be the same and we will respond to each case considering individual circumstances and the risks/needs of the victim.

The police will assess if a hate crime has been committed and LiveWest will work with the police to take appropriate action against the perpetrator. If, after police investigation, the incident is not motivated by prejudice or hate, we will continue to deal with any incident in line with this anti-social behaviour policy.

### **3.10 Modern Slavery and Human Trafficking**

Modern slavery and human trafficking (MSHT) in the UK is far more prevalent than previously thought, according to the National Crime Agency.

A growing body of evidence resulting from an increase in law enforcement activity points to the numbers of victims being much higher than estimated, and the threat continuing to expand.

Our ASB experts will respond to reports of Modern Slavery & Human Trafficking within 24 working hours of receipt and work closely within the wider Community Safety Partnership to support victims of MSHT.

### **3.11 Partnership Working**

There are a wide range of tools and powers available, and we will work with other organisations to maximise the use of these tools to find the best way to resolve issues.

Wherever feasible, we will proactively adopt, and support multi-agency approaches and work with the police, local councils, and voluntary agencies to share resources, expertise and deliver better outcomes for our customers.

In cases where a criminal act has allegedly occurred, we will work closely with the police to avoid duplicitous actions and to decide on whether action should be taken prior to the criminal case. Where we become aware that a customer has a criminal conviction that affects our housing management function, we will hold a case review and will take decisive action where the behaviour represents a risk to our communities, staff, or reputation.

### **3.12 Community Trigger**

A Community Trigger is designed to give victims of anti-social behaviour the right to request a review of their case and bring agencies together to take a joined-up, problem solving approach. The main aim of the Community Trigger process is to find solutions to the anti-social behaviour. Where a customer feels that an agency is not responding to their reports, we would recommend that the customer seeks to activate the Community Trigger which can be done by contacting the police or local authority. LiveWest will actively attend all Community Trigger meetings, where invited to do so.

### **3.13 Categorising & Responding to Reports**

To target resources effectively, we will adopt a harm centred approach to ASB and prioritise cases when reported to us. Through case management, we will look to manage cases using a traffic light approach as detailed in Appendix 1:

<b>Priority</b>	<b>Examples</b>	<b>Response</b>
<b>Red Priority 1 Urgent</b>	<b>Serious assault, hate crime /offensive graffiti &amp; arson</b>	<b>Where harm has occurred. We will aim to respond and commence investigations within 24 working hours of receipt.</b>
<b>Priority 2 High</b>	<b>Threats of violence, Hate Incidents, County Lines, Modern Slavery, Housing Related Crime</b>	<b>We will aim to respond within 24 working hours and commence investigations within 5 working days.</b>
<b>Amber Priority Standard risk of harm</b>	<b>Vandalism, damage to property and noise nuisance.</b>	<b>These cases will receive a response within 48 working hours and investigation will begin within 5 working days.</b>

Each case will be considered individually considering the details of each situation. The case may be categorised initially, and this may then change following further investigation and a review of the case.

We recognise that we are unable to work in isolation and there will be an expectation that our customers will work with other agencies such as environmental health, the police and the community safety teams to maximise the tools available. We may be unable to progress some cases where a customer does not want to disclose their identity and we will be clear about this when the report is made to us.

Where a case has been managed to a level where the risk of harm has been reduced and interventions have stopped, the case will be monitored for a brief period and then closed. Where a risk of harm remains or there is a safety risk, then the case will remain open and managed in the appropriate way.

### **3.14 Legal Action**

We will consider pursuing legal action where necessary, with our priority being to remove imminent risk of harm.

Formal legal action may be considered where there is sufficient evidence to substantiate the ASB and:

- There is a risk to an individual or the community
- Serious and/or criminal behaviour has occurred
- Previous interventions have failed and the ASB continues

In taking legal action, we will consider the most proportionate intervention to stop the behaviour. Eviction will remain a last resort when other interventions have failed, or when the behaviour is so serious that this is the only proportionate action to take. In cases where there is an imminent and pressing risk to individuals or the wider community, we may choose to take legal action without first considering other interventions.

Decisions to pursue legal action will always be determined by the risk of harm the behaviour has on communities, evidence available, proportionality, reasonableness, and the likelihood of a successful outcome from it. Where we do consider taking legal action, we are at liberty to continually review the case and assess the action we are taking and whether we should continue with this course of action. If there are changes of circumstances such as withdrawal of witnesses or additional evidence that impacts on the viability of the case, we are at liberty to review and change our decision.

We will be clear to customers if we feel another agency would be better placed to investigate their issue or feel that we are unable to act without the involvement of another agency such as the police or local authority.

The range of legal actions and options available to LiveWest as a landlord are limited and will be dependent on the evidence available. We will work in partnership with other agencies to ensure the best outcome to resolve issues are achieved. This could include action by external agencies using tools available under the ASB Crime and Policing Act 2014 such as Community Protection Notices or Criminal Behaviour Orders and any new legislation introduced to tackle ASB.

We support mediation as a method to rebuild relationships. We may ask that mediation or restorative justice is undertaken prior to us considering further action where legal action is considered the court would expect that mediation has been considered.

Where there is no corroborating evidence to allegations, we may not be able to take further action. If the allegations are malicious or false, we may act against those who have used our processes in a malicious or false manner to cause harassment, alarm, or distress to others.

### **3.15 Protection of Employees- Unacceptable Customer Behaviour**

LiveWest acknowledges that all our employees, agents or contractors are entitled to work in a safe and secure environment free from behaviours such as aggression, bullying, threats, violence, stalking, inappropriate comments on social media, unauthorised recording and behaviour targeting their wellbeing. We take a zero-tolerance approach to behaviours that impact negatively on LiveWest colleagues/contractors, and the expectation is that our customers will treat our colleagues/contractors with the same level of respect and dignity that customers would expect from LiveWest. Where this expectation is not met, we will let you know in writing the behaviour that is not acceptable to us.

Where a customer's behaviour is not acceptable to us, we will open a case and investigate the behaviour under our ASB and Hate Crime Policy/Procedures. We will take appropriate action which could include reporting the incident to the police, warnings, or legal action to exclude a customer from their home. We may also look to put a contact plan in place to protect our colleagues and manage contact with the customer under our Unacceptable Customer Behaviour Policy and Procedures.

### **3.16 Confidentiality, Data Protection, and Information Sharing**

All information provided by those who report ASB will be treated in the strictest confidence; however, in some cases we may need to disclose information in line with the terms of customers tenancy agreements. For example, where a criminal act has occurred or where there is a safeguarding concern, we will share information with other agencies in line with the General Data Protection Regulations (GDPR) 2018. We may not be able to progress some cases if the reporter is unwilling to disclose their identity and we will make this clear when the report is made to us.

To support victims of ASB we will look to maximise how we share information with them in line with GDPR; this will include providing details of Acceptable Behaviour Agreements and relevant court orders, we will always share this information when the victim has been a witness in court.

Protocols will be in place with partners to share information in accordance with the Crime and Disorder Act 1998 and Schedule 2 of the General Data Protection Regulations (GDPR) 2018.

### **3.17 Training**

We are committed to ensuring staff have the confidence and knowledge to identify, respond to, investigate and resolve reports of ASB and Hate Incidents/Crime. Our frontline teams will be trained to manage complainant expectations, providing advice on the circumstances under which, as a landlord,

it is our role to intervene and communicating our expectation that residents resolve local disputes between themselves in a “neighbourly” way.

Our housing teams will be trained to manage and resolve cases consistently and effectively and will have the skills and knowledge to progress cases through court. We will achieve this using a mix of internal skills, enforcement team resource, external specialist training and learning from complaints.

### **3.18 Complaints**

We are committed to resolving ASB and Hate Incidents/Crime; however, we understand we may not have sufficient evidence or feel it is appropriate to take further action.

If a customer is dissatisfied about how a case is progressing or the outcome of a case, there are several options available to customers:

- **Request a Case Review**

Customers who are dissatisfied with the management of their case can request an independent case review. We will respond in full within 28 working days of your request and provide a report to the customer with any recommendations.

- **Activate a Community Trigger**

This can be activated by contacting the police or local authority details available on their websites.

- **Escalate to a Complaint**

Where a customer remains dissatisfied, despite a full case review the case can be escalated under our complaint’s procedure.

- **Seek independent advice**

There are several independent companies who provide ASB help and advice such as ASBHelp <https://asbhelp.co.uk> Customers may also choose to seek their own legal advice against the perpetrator of the ASB who by law is responsible for their own behaviour.

## **4 Monitoring and review**

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This policy will be made widely available to customers and stakeholders via an appropriate range of online and printed communication platforms.

Operational procedures and guidance issued under this policy will guide how LiveWest staff categorise, investigate, and resolve reports of ASB and Hate Crime.

We will review customer feedback, look for trends and hotspots and identify areas for service improvement on a continuous basis to improve the quality of our service and safety of our neighbourhoods.

This policy will be reviewed every three years or earlier in line with any legislative, regulatory, or good practice changes.

## 5 Legal and regulatory considerations

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This policy has been written to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the individual and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

The following legislation has also been considered in developing this policy:

- Anti-Social Behaviour Act 2003 - Social Landlords powers to obtain injunctions.
- Anti-social Behaviour, Crime and Policing Act 2014 - New mandatory grounds for possession proceedings.
- Crime and Disorder Act 1998 - Introduced civil remedy called the Anti-social behaviour order
- General Data Protection Regulation 2018 - Security and privacy of personal information
- Equality Act 2010 - Protects people against discrimination, harassment, or victimisation.
- Localism Act 2011 - Changes to tenancy law.

Housing Act 1988, as amended – Schedule 2 provides the grounds available for possession proceedings.

Our approach to supporting our customers in preventing and tackling ASB will also meet regulatory requirements as set out by the Regulator of Social Housing by ensuring that:

- Customers are aware of their rights and responsibilities.
- There is strong leadership, accountability, and commitment on preventing and tackling ASB
- Preventative measures are tailored to customer needs.
- Early intervention is used to prevent escalation including full use of landlord and other agency powers.
- All customers can easily report ASB, are kept informed about progress with cases, are appropriately signposted, and
- Provision is made to support victims and witnesses.

## 6 Linked/associated policies and other references

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### Policies and Procedures

- ASB Procedure
- Domestic Abuse Policy and Procedure
- Health and Safety Policy and Procedure
- Unacceptable Behaviour Policy and Procedure
- Complaints and Compliments Policy and Procedure
- Safeguarding Children and Adults at Risk Policy and Procedure

### Appendices

- Appendix 1 – What is and is not ASB

## Version Control

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Version	Date of change	By whom	Reason
2	March 2023	Head of Neighbourhoods	Full Review
	Dec 2025	LiveWest Board Ref: LB55/23	Review date extended to March 2027

## Appendix 1 (guidance only)

What is and is not Anti-Social Behaviour?			
	ASB	Tenancy Management	Lifestyle Difference
<b>Red Priority 1 : Urgent</b>			
Hate Crime	✓**		
Physical assault	✓**		
Knife crime	✓**		
Arson	✓**		
<b>Red Priority 2 : High</b>			
Threats of violence	✓**		
Hate incident	✓**		
Drug Dealing	✓**		
Cuckooing			
Modern Slavery	✓**		
<b>Amber Priority</b>			
Graffiti	✓		
Harassment	✓		
Intimidation	✓		
Persistent noise/loud music	✓***		
Verbal abuse	✓		
Drug misuse (including cannabis)	✓**		
Prostitution	✓*		
Vandalism	✓**		
<b>The categories below may change and can be escalated to ASB cases</b>			
<b>Environmental</b>			
Fly tipping/litter		✓	
Fireworks/Bonfires		✓***	
Unroadworthy/abandoned vehicles		✓	
Inconsiderate/dangerous parking		✓	
<b>Pets /animals</b>			
Pet nuisance / fouling		✓	
Animal cruelty		✓***	
<b>Property</b>			
Boundary disputes		✓	
Property/garden condition		✓	
Infestations		✓***	
Bins and Recycling			✓
Children playing/congregating			✓
Smells/Odours			✓
DIY			✓
Lifestyle clashes			✓
Noise from normal living			✓
Noisy appliances			✓
Parking disputes			✓
One -Off Parties/barbeques			✓
Smoking			✓

**Key:**

	Red Priority 1 case : Where harm has occurred. We will aim to respond and commence investigations within 24 working hours of receipt
	Red Priority 2 case : We will aim to respond within 24 working hours and commence investigations within 5 working days
	Amber Priority : These cases will receive a response within 48 working hours and investigation will begin within 5 working days
*	Where it impacts on our wider community
**	This should also be reported to the Police if linked to criminal activity
***	This should also be reported to other agencies such as Social Services, Environmental Health or RSPCA