



Draft Landlord Antisocial behaviour (ASB) Policy

1. Introduction

The purpose of this policy is to set out how we will prevent and tackle antisocial behaviour within our housing estates.

Our Corporate Council ambition for preventing and tackling antisocial behaviour is that “all residents should be, and feel safe from, harm and can enjoy access to green spaces.”

We also recognise the additional responsibilities we have to our tenants as a provider of social housing in the Borough. Our tenants have the right to enjoy their homes, and the community spaces around them, and we will support our tenants where those rights are being eroded by the behaviour of others.

This Policy sets out how we will prevent and tackle antisocial behaviour (ASB) which is impacting Hillingdon Council tenants and leaseholders and/or is perpetrated by them.

The Social Housing (Regulation) Act 2023 requires us to collect Tenant Satisfaction Measures (TSMs) which is a range of tenant feedback about satisfaction with our services and management information about areas of key performance. We will use this data to ensure we understand how our tenants feel about how we are dealing with their reports of antisocial behaviour.

You may want to read this policy in conjunction with our Corporate ASB Policy to understand the Council’s approach to ASB. This is a policy document for Hillingdon Council in relation to antisocial behaviour in Hillingdon Borough. As a policy document it sets out what the Council means by ‘antisocial behaviour’ (ASB), when we may take action on antisocial behaviour and also includes the principles the Council applies when deciding how to respond to a report of antisocial behaviour. It explains how the Council responds when people experiencing ASB contact us for help, and what they can expect from the Council.

1.2 Relevant legislation:

- Antisocial Behaviour, Crime and Policing Act 2014
- Domestic Abuse Act 2021
- Crime and Disorder Act 1998
- Environmental Protection Act 1990
- Criminal Justice Act 2023
- The Housing Act 1996
- The Equality Act 2010

- The Data Protection Act 2018 and UK General Data Protection Regulation
- The Social Housing (Regulation) Act 2023

2. Scope

- 2.1 This policy applies to all Hillingdon Council residents living in properties which are owned or managed by the council.
- 2.2 This policy also applies to residents living within the borough of Hillingdon who are not tenants of the council where they are involved in ASB affecting Hillingdon Council tenants.

3. Terms and definitions

We use the Antisocial Behaviour Crime and Policing Act 2014 (the ASB Act) definition of housing related ASB as behaviour 'that is causing or likely to cause nuisance or annoyance.'

The definition of ASB is subjective to an individual and we recognise that this is based on how it makes that person feel. The Council understands that every individual person has different tolerances, expectations and perceptions when deciding what behaviour is or is not appropriate or acceptable.

However, the Antisocial Behaviour, Crime and Policing Act 2014 defines Antisocial Behaviour (ASB) 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

In many instances, reports of antisocial behaviour may also constitute a crime. In these cases, the victim and witnesses will be encouraged to report the matter to police in the first instance. In these cases, we will keep the case of antisocial behaviour open and contribute to the resolution in our role as landlord, whilst being clear that the lead agency is the police.

4. Policy Statement

- 4.1 We will clearly publish, and make accessible, information on ASB and how residents should report this.
- 4.2 We will provide additional tools and advice to support residents when needed and encourage and support residents to communicate positively with their neighbours and understand which behaviours are considered reasonable. We

will consult with residents to find solutions to behaviours which are impacting several residents.

- 4.3 We will work with communities to build community cohesion, ensuring that residents have the information they need to manage neighbourhood issues (including their communication with neighbours) and where needed, know how to inform our Housing Management Service regarding escalation of issues, support needed or any incident of ASB.

Case Management Principles

- 4.4 We will follow the ASB case management principles which were developed by the Home Office, Chartered Institute of Housing, the National Policing Improvement Agency, the Association of Chief Police Officers, the Social Landlords Crime and Nuisance Group (trading as Resolve) and several social landlords and community safety partnerships.

- 4.5 Across five key areas these principles provide a general framework for effective case management. These are:

- Opening a case
- Early intervention
- Enforcement and use of preventative tools
- Legal considerations
- Closing a case

Reporting ASB

- 4.6 We will deliver an accessible and accountable service which is effective and customer focused
- 4.7 We will publicise our approach to tackling ASB in leaflets, customer newsletters, our website, social media and selected local press where appropriate
- 4.8 We will assess all customers who wish to report an incident of ASB for their risk and vulnerability to ensure the appropriate level of support can be provided and any safeguarding issues are identified
- 4.9 We will make sure that all tenants can access our ASB service easily by making available a range of reporting methods including digital technology, face to face, telephone, email and text
- 4.10 We will provide incident diaries via the website, estate-based staff and from our offices
- 4.11 We will respond to reports of ASB within two working days. Where there risk is high, involving actual or threatened violence to the person, we will respond within 24 hrs.
- 4.12 We will monitor which reporting methods are most used and be responsive to developing trends

- 4.13 We will train and support all staff, including frontline and estate-based staff such as caretakers, so that they can respond and signpost appropriately and confidently when tenants report ASB to them on our estates
- 4.14 We will explore the costs and benefits of a free phone ASB reporting line, and options to reduce the cost for mobile telephone users, if it is required (through use of 03 or local rate telephone numbers). Currently the ASB reporting phone number is 01895 556666 or email asbriskmanagement@hillingdon.gov.uk
- 4.15 We will make sure that tenants can, and are aware of how to, report ASB outside office hours, for example, online or through our out of hours service and ensure that call handlers are trained and supported to respond appropriately.

Opening a case

- 4.16 We will adhere to our driving principles when opening a case. These are
- To resolve issues at the earliest stage possible, to achieve a positive outcome and to act decisively and authoritatively
 - To challenge and stop antisocial behaviour and where possible to change behaviour
 - Use effective skills: for example the 5 Ws – Who, what, where, when and why, to gather information and form a robust assessment of the situation
 - To triage all reports of ASB to identify
 - To maintain and build the confidence of complainants and wider community
 - To communicate with the witness/complainant regularly
 - To keep the witness/complainant central to what we do
 - To maintain effective partnership arrangements with local agencies and to improve staff training and awareness of the full range of potential partners and services offered
 - To follow robust and effective referral processes and channels of communication
 - To hold regular and effective local ASB multi-agency case-based meeting(s) with good links to local police tasking and escalation processes
 - To follow clear local minimum standards and reporting routes for victims and witnesses to report ASB

Gathering evidence

- 4.17 Gathering reliable and comprehensive evidence is a critical element of effective case management. It enables us to identify the appropriate intervention to address the ASB, including when legal measures are required. Legally, evidence

proves the existence or non-existence of the fact(s) in question.

4.18 Evidence can include:

- Documented evidence e.g. witness statements and reports
- Oral evidence and testimony
- Hearsay evidence, provided by a third party on behalf of someone else
- Tangible evidence, such as a weapon

4.19 Potential sources of evidence can include:

- Witnesses who heard or saw the ASB
- Neighbours
- Officials, such as Police, Housing or Environmental Health Officers or Social Workers
- Media reports

4.20 Forms of evidence can include:

- Diary sheets recording the ASB
- File notes and Police logs
- Correspondence with complainants or perpetrators
- Photographs
- Sound recordings or video recordings via the noise app
- CCTV footage
- Petitions
- Convictions

4.21 All forms of evidence should be reviewed as soon as possible after the event(s).

Diary sheets

4.22 Diary sheets should be used where the officer is satisfied that ASB is occurring, and they should support residents to follow the correct process for using these.

4.23 It should be made clear to residents why the sheets are necessary, how to complete them, with as much detail as possible about the behaviour, who is involved, when it happens, and the impact it has.

4.24 Support should be given to help the complainant use the diaries e.g. translation or recording tools.

Mediation to prevent escalation

4.25 We will seek to limit the escalation of all antisocial behaviour. Where it is appropriate, we may encourage the parties involved to discuss the matter between themselves, using a mediation approach where possible.

4.26 Mediators can be used to address issues between neighbours including:

- Noise and behaviour annoyances

- Boundary disputes
- Disputes around fences, trees or hedges
- Shared access and parking disagreements
- Disputes about communal spaces

4.27 The aim of mediation is to repair and preserve relationships, avoid escalation and costly court fees and maintain tenancies.

Low Level ASB

4.28 We will work with our residents to resolve low-level nuisance and ASB quickly.

4.29 We will work with new tenants to help them to understand what it means to be neighbourly and the expectations of their tenancy agreement

4.30 We will respond within our agreed service standards to the complainant

4.31 We will not label incidents as ASB until we have established the cause of the complaint – it could be a one-off disagreement between neighbours

4.32 We will be clear and honest with residents about the need to try to resolve issues with their neighbours before the situation escalates

Noise

4.33 We will treat reports of noise “seriously, sensitively and proportionately” recognising that most complaints concern household noise rather than ASB. We acknowledge that sometimes low level and repeated incidents of noise can have a serious impact on a person’s life.

4.34 We may consider it appropriate to take a tenancy management approach to remind residents of their responsibilities or take other preventative action. If the behaviour continues and we can evidence that it is ASB we may investigate in line with this policy. As a result, we will treat noise complaints as distinct from other types of ASB and try to resolve them before they escalate. However, they will be reported to the Regulator of Social Housing (RSH) along with other ASB cases, as we are required to do so.

4.35 We will investigate noise nuisance where the noise is frequently excessive in volume and duration or occurs at unreasonable hours. It is reasonable to expect some level of noise from everyday life but if there is concern for someone’s welfare this should be reported to the Council

4.36 We will not use the word “perpetrator” when we communicate with residents about instances of noise complaints. However, we will treat low-level noise complaints more seriously to prevent either our complaints or our ASB cases from escalating unnecessarily.

4.37 We are subscribers to the Noise App which allows residents to easily record audio or video evidence of incidents which cause them disturbance and submit those recordings directly to us. We will encourage residents to download and use

the app if it is appropriate to their circumstances and their needs.

- 4.38 We will take a victim centred approach to anyone reporting a hate crime, ensuring that we treat the incident as the victim perceives it, not how we may perceive it
- 4.39 We will share data and analyse hate crime patterns, hotspots, perpetrators and victim vulnerability so that we can take action to prevent incidents and crime in the future
- 4.40 We will share intelligence and information about perpetrator patterns of behaviour so that all partners can respond effectively and provide communities with support and advice they need
- 4.41 We will use our CCTV and enforcement officers to support the police in gathering evidence, tackling hate and prosecuting offenders
- 4.42 We will provide hate crime awareness training to frontline staff to enable them to recognise and respond to any hate crime witnessed in a timely, appropriate and effective manner
- 4.43 We will ensure that our employees are safeguarded against hate crime in the workplace through hate crime awareness training and clear guidance and support on how to report hate crime and hate incidents as well as expected behaviours in the workplace
- 4.44 We will provide, where necessary, advice and assistance to victims and perpetrators of hate crime and offer appropriate support through the whole case. This may require sign posting victims to Victim Support or other support agencies. This may also be done by other agencies e.g., Police or commissioned services.
- 4.45 We may offer, where necessary, additional security measures for victims homes such as fireproof letter boxes and/or window locks and in cases where the safety and well-being of the victim is at risk and this is confirmed by the Police we will consider a transfer to an alternative suitable property either on a permanent or temporary basis. This will always be decided on a case-by-case basis dependent on the needs of the victim and the level of risk presented
- 4.46 We will take a multi-agency approach and work with partners to highlight issues in an area and support victims. Where appropriate our staff can give evidence in court if they witness hate crime. They can also take witness statements and present them as hearsay evidence as professional witnesses. Where residents are vulnerable or unable to give evidence at court, we may use professional witnesses and/or CCTV surveillance as an alternative
- 4.47 We will support victims of extreme incidents of hate crime to secure emergency accommodation to remove them immediately from danger.

Case review

- 4.48 The ASB Case Review (ASBR) forms an integral part of the overall framework for tackling antisocial behaviour in Hillingdon.
- 4.49 The Council's corporate ASBR should be followed when a Council tenant requests a review of their case. They can download a copy of the ASB Review Form from our website or be given a copy by an officer.
- 4.50 The ASBR gives the victim the opportunity to have their voice heard and feel empowered to ensure action is taken to deal with persistent ASB.
- 4.51 The ASB Case Review is a statutory provision introduced in the: Antisocial Behaviour, Crime and Policing Act 2014. It is a safety net for victims of persistent antisocial behaviour to request a review of their case to determine if further action can be taken to resolve the ongoing ASB. The ASB Case Review is not about apportioning blame but is to focus is on problem solving the case utilising the expertise of partner agencies.
- 4.52 This ASB Policy is written in accordance with the Statutory Guidance for Frontline Professionals, as outlined in "Antisocial Behaviour, Crime and Policing Act 2014: Antisocial Behaviour Powers (Home Office)".
- Antisocial behaviour powers: statutory guidance for frontline professionals (accessible) - GOV.UK (www.gov.uk)
- It assigns responsibilities on relevant bodies including the local authority, police, Integrated Care Board (ICB) and registered providers of housing, to manage and participate in ASB Case Review and will treat incidents under this ASB Case Review process seriously.
- 4.53 Housing staff should consider the ASB Case Review as an aid to their practice, not a hindrance or something to be avoided. It should be viewed as a learning opportunity to help improve services for the residents of the London Borough of Hillingdon.

Tenancy sustainment

- 4.54 We seek to sustain tenancies through informal supportive actions to influence and change behaviour.
- 4.55 We will ensure that the victims of ASB are at the centre of our approach and we will aim to end the ASB without needing to take action to terminate the tenancies of perpetrators.
- 4.56 Where support needs are identified, we will act quickly to refer or signpost the perpetrator(s)/ suspected perpetrator(s) to relevant support services, such as drug and alcohol support services or mental health services.
- 4.57 Where a perpetrator is already receiving support from other agencies, we will liaise with them throughout our management of the case.

4.58 Where the ASB continues we will work with partners to use the tools available to us under the Antisocial behaviour, Crime and Policing Act 2014, such as

Criminal Behaviour Orders – issued by a criminal court against a person who has been convicted of an offence and is causing anti-social behaviour

Dispersal Powers – this allows police officers to order a person who is causing harassment, alarm, or distress to leave a specific area for up to 48 hours

Community Protection Notices – local authorities, the police, and sometimes social landlords can issue Community Protection Notices to address a wide range of problems such as littering and noise nuisance

Public Space Protection Orders – used by local authorities to prevent behaviour and nuisance that is persistent, unreasonable and/or detrimental.

Closure Orders – a court order which closes down properties that are causing serious nuisance, disorder, or criminal behaviour. This means there is a temporary ban on occupying the property.

A **Community Protection Warning** can be issued where the individual's behaviour is having a detrimental effect on the quality of life of those in the locality and causing intentional upset, offence, anger or annoyance.

A **Community Protection Notice** can be issued against a persistent ASB perpetrator and failure to comply to a Community Protection Warning.

Working with partners

4.59 We will work positively with our partners to resolve ASB in our estates. We will build evidence of this partnership working so that we can evidence this to RSH through our effective record-keeping process and adopting a collaborative approach to resolving ASB

4.60 We will not share information without permission, in line with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR)

4.61 Our ongoing engagement and dialogue with partners will help us to identify priority areas where significant amounts of ASB are occurring – 'ASB hotspots' - and target actions to tackle it

4.62 We will retain the role of case management in our capacity as landlord but will refer cases to other services and partners when their involvement is required

4.63 This will include working closely with the following teams/services:

- RPs providing housing in the borough on mixed tenure estates
- Community Safety Team
- Environmental health
- Youth and Justice Prevention
- Police

- Adult Mental Health Service
- Hillingdon Community Mental Health
- Safer Communities and Vulnerabilities
- Addiction, Recovery, Community Hillingdon Service
- Safeguarding
- Tenancy Management
- Counter Fraud Services
- Homeless Prevention
- Adult Social Care
- Children's Services
- Rough sleepers Team
- Repairs/Caretaking

5. Further information

How to Report to the Police

- In an Emergency: Always dial 999
- In a Non-Emergency: Dial 101
- On Public Transport: 0800 40 50 40 or text 61016
- Anonymously: CRIMESTOPPERS 0800 555 1111
- Metropolitan Police HQ, 1 Warwick Place, Uxbridge, UB8 1PG
- Hayes Police Station, 755 Uxbridge Road, Hayes, UB4 8HU

6. Monitoring and review

- 6.1 This policy will be reviewed on a three yearly cycle, unless there is a business need, change in legislation or regulation which prompts an earlier review.
- 6.2 We will publish this document on our website and our intranet to ensure visibility and access for staff and residents.
- 6.3 We will provide training to staff who have responsibility for implementing the policy to ensure that it is understood.
- 6.4 As this is a resident facing policy, we will review the effectiveness of the policy with our involved customers one year from the implementation of the policy.

7. Related documents

- 7.1 Corporate ASB Policy
- 7.2 Landlord ASB Procedure
- 7.3 Hate Crime Policy
- 7.4 Domestic Abuse Policy
- 7.5 Resident Experience Strategy
- 7.6 Safeguarding Policy

8. Governance

Effective from		Expires	
Policy Owner			
Policy Author			
Approved by			
Version control			