



## Anti-Social Behaviour Policy including Hate Crime

### Introduction

Irwell Valley Homes is committed to enabling people to live well in their home and community and providing an effective and robust approach to tackling ASB supports this.

This policy sets out our approach to tackling Anti-Social Behaviour (ASB) and how we will support and work with customers and people in our neighbourhoods who experience ASB.

### Aims and Objectives

- 2.0 We aim to prevent ASB happening and re-occurring and protect those effected. We recognise that each case is different and so we will agree an approach that is suitable and proportionate. We will do this by:
- Taking a harm centred approach to cases. Assessing if it is ASB (or not) and categorising this by looking at the type of behaviour type, the impact of the behaviour, considering all relevant circumstances, and the legal definition of ASB.
  - Being honest from the outset about the likely outcome and being clear about what we expect from the customer to support us in dealing with it.
  - Ensuring ASB is tackled efficiently and effectively using a range of approaches including customer involvement, prevention, intervention, support, and enforcement (where applicable and practicable to do so).
  - Providing effective support services for victims and perpetrators, and ensuring all ASB cases are dealt with fairly and equitability.
  - Working in partnership with other agencies such as the Police, Environmental Health, and Local Authorities to prevent and minimise ASB in our neighbourhoods and provide effective support to customers and colleagues.
  - Reviewing and adopting good practice.
  - Meeting all statutory and regulatory requirements.

### Policy

#### 3.0 Definition

- 3.1 ASB can cover a wide range of issues from inconsiderate behaviour to criminal activity. The ASB Crime and Policing Act 2014 (Part 1 s2) defines ASB (for housing) as:

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

- 3..2 Irwell Valley Homes’ definition of ASB is conduct that:

- causes, or is likely to cause, persistent nuisance and annoyance which prevents a person from enjoying their home, or

- impacts our ability to provide housing related services, or
- involves using or threatening to use our homes and neighbourhoods we manage for a criminal purpose.

### 3.3 We consider the following to be ASB (not exclusive):

- Violence against people and/or property.
- Aggressive and/or threatening behaviour or language.
- Hate related behaviour that targets members of identified groups because of perceived differences.
- Domestic Violence or abuse.
- Intimidation and/or harassment.
- Alcohol and/or drug related ASB.
- Persistent and unreasonably high levels of noise.
- Using a property for illegal/unlawful purposes i.e. the production, storage and/or selling of illegal substances, storage of stolen goods, prostitution.
- Arson.

### 3.4 Below are examples which we don't consider to be ASB (not exclusive and will be assessed in line with our Good Neighbourhood Management Policy).

- General household noise at reasonable times including DIY, banging doors, shouting, washing machines, TV or radio/music.
- Disagreements between neighbours.
- Differences in lifestyle i.e. different sleeping routines or living patterns.
- Staring or looking at someone, people being rude, or speaking about others in the street.
- Cooking odours.
- One off parties
- Babies crying
- Children and young people playing
- Parking
- Property/Garden condition
- Animal noise/behaviour (unless persistent)
- Cats in gardens
- Dog Fouling
- Smoking in a person's own home
- Misuse of communal areas
- Litter/fly tipping/rubbish

## 4.0 Scope

4.1 Where, at our discretion, the ASB being committed does not impact our ability to provide housing related services, we will work in partnership with relevant agencies such as the Police, Environmental Health, and Local Authorities to help and support tackle ASB.

4.2 We will encourage those living or working in our neighbourhoods to be pro-active in reporting anything that is not affecting our ability to provide housing services to the relevant agencies in the first instance, as well as ourselves.

## 5.0 Approach to tackling ASB

- 5.1 We will make it easy for customers to report ASB and provide advice on the options available to resolve the issue. We will keep customers informed throughout their case and look to resolve issues as quickly as possible. We will collect customer feedback and use this to improve our service.
  - 5.1.1 We need customers to work with us to resolve their report of ASB, for example recording and reporting further incidents, taking part in mediation, or attending court (where appropriate), with the support and/or advice from us. Support will be given to the customer to do this.
  - 5.1.2 If there is no perceived risk and it is appropriate, we may suggest and ask customers to take action to resolve the matter. If we do, we will provide guidance and support about how to approach the person about the issue.
  - 5.1.3 We will maintain the confidentiality of customers who wish to remain anonymous (as far as practically possible) and will provide support to witnesses and victims of ASB. Examples of support include installing security measures, pre-arranged contact as agreed with a named officer, referrals to appropriate agencies, and accompanying customers throughout a court hearing.
- 5.2 Prevention - We will implement preventative measures that help to minimise the risk of ASB occurring. This includes a thorough allocations policy and process, sensitive lettings policies, granting starter tenancies to new customers, promoting the Good Neighbour Agreement.
- 5.3 Intervention - We will focus on early Intervention and consider the use of informal interventions, such as encouraging customers to speak to the person who is causing ASB (where it is safe and appropriate to do so), offering mediation, providing advice, issuing verbal and written warnings, and using Acceptable Behaviour Contracts.
- 5.4 Partnership working - Where appropriate we will work with partners such as the Police, Local Authority, Environmental Health, Probation Service, Health Services and Youth Offending Service. This may include sharing information (within the bounds of relevant legislation), and discussing specific cases and, where appropriate, referring a customer to another agency.
- 5.5 Enforcement - Where it is appropriate and we are able to based on the evidence we have, we will consider the use of relevant legal interventions. This includes obtaining injunctions against perpetrators of ASB, evicting perpetrators, and asking partner agencies to make use of the powers available to them, including dispersal powers and closure orders. This approach will only be used where necessary. When considering legal intervention, we will look to make fair, reasonable, and proportionate decisions based on all the facts available to us at the time to achieve a legitimate aim. This will also include completing an Equality Impact Assessment.
- 5.6 Rehabilitation – We will work with partners, where appropriate to do so, to offer rehabilitation to perpetrators of ASB to support sustainable tenancies and communities.
  - 5.6.1 We recognise that those causing ASB may be vulnerable and/or have support needs that could be contributing to or exasperating the behaviour. Where these are identified, they will be considered to inform any action taken to resolve the concerns being raised.
  - 5.6.2 Helping and supporting perpetrators to address any needs can help to eliminate ASB early. We recognise that any support needs are not an excuse for inappropriate behaviour,

however, we understand that not addressing the needs is likely to prolong the harm being caused.

5.6.3 When considering the needs of the perpetrator, we will look to see if we can offer any further support and/or whether a referral to a partner is required. Where legal action is being considered, we will complete a justification exercise, which may include an equality impact assessment to ensure our action is proportionate, reasonable, and fair.

5.6.4 Our priority is to work with all parties to stop the ASB and harm. If a perpetrator has a support need, this will not prevent or delay us from taking the appropriate action required at that time, where necessary.

## 6.0 Reporting and Categorising ASB

6.1 We encourage everyone living, visiting and working in our neighbourhoods to report ASB and provide a range of ways to do so:

- In person
- Over the telephone (24 hours a day)
- In writing
- Email
- Via the Irwell Valley Website and live chat function
- Via the customer online portal
- Direct messages on social media

6.2 We take a harm centred approach when defining ASB, considering the behaviour and the impact. Different people have different expectations, tolerance, and perception. There may be occasions when the report made does not meet our definition of ASB.

6.3 The decision as to whether something should be categorised as ASB will be made by us on a case-by-case basis. When we receive a report of ASB we will triage the case by gathering a full understanding of what is happening to effectively categorise the severity and impact.

6.4 We prioritise reports of ASB that are most serious to ensure any risk of harm is managed quickly, effectively, and appropriately. Using the triage system, we will consider the type of behaviour being reported and the impact this is having. The categories are then defined as Category A (CAT A) and Category B&C (CAT B/C) with the category determining the response time.

CAT A – High Harm category with a response within 1 working day

CAT B/C – Medium/Low Harm category with a response within 5 working days

6.5 During the course of our case management, we may decide that a case needs to be re-categorised. This may occur, for example, if the behaviour and/or risk has become more serious or is reducing.

6.6 A full risk assessment will be completed with the person making the report, and this will determine the action taken. The risk assessment will be regularly reviewed throughout the

duration of the case to ensure the relevant support and steps are being taken, especially if the risk level changes.

## 7.0 Hate Incidents & Hate Crime

- 7.1 A Hate Incident is ASB that targets someone, and the act is perceived, whether by the victim or any other person to have been motivated because of hostility or prejudice towards a person's personal characteristics.

Personal Characteristics include:

- Disability
- Gender Identity
- Race
- Religion or Belief
- Sexual Orientation
- Vulnerability
- Age
- Gender
- Nationality/National Origin

- 7.3 Hate Behaviour (this includes both Hate Incidents and Hate Crime) can be in many different forms, they can be towards an individual or targeted towards a property. They include verbal abuse, property damage, threats, and acts of violence.

- 7.4 We recognise and know that hate related incidents cause upset, stress, and worry to individuals, families and the community. We treat Hate Incidents and Hate Crime as a high risk and high priority. All reports are initially reviewed by our Community Safety Officers and we thoroughly investigate every case. We have resources to deal with perpetrators of hate crimes and will use available powers as appropriate where necessary.

## 8.0 Safeguarding and Domestic Abuse

- 8.1 The safeguarding of children and vulnerable adults is everyone's responsibility; this includes all colleagues, Board and Committee members, volunteers, and contractors. We recognise therefore that these groups must have an awareness and understanding of safeguarding issues, to report any suspicions or concerns they may have, and the procedures must be followed.

- 8.3 IVH has a separate Safeguarding Policy and a separate Domestic Violence and Abuse Policy that will be adhered to if any concerns are raised when dealing with reports of ASB.

## 9.0 Value for Money

- 9.1 Each case is assessed to determine the most appropriate course of action to secure the desired result. This helps us to ensure we deliver value for money in the running of this service for customers.

## Performance Reporting

We will use the following to measure and monitor our performance:

- Tenant satisfaction measures around ASB (reported annually)
  - number of cases per 1000 homes
  - customer satisfaction with how ASB cases are handled.
- Customer satisfaction from surveys sent following the closure of an ASB case (reported quarterly.)
- Response times in cases, having regard to the seriousness of the ASB.

We will monitor the effectiveness and implementation of this policy to ensure that we continue to support and protect our customers and tackle ASB efficiently and effectively.

We will review and update this policy to reflect any changes in legislation, best practice or improvements identified by service reviews, scrutiny, or feedback from customers.

### Roles and Responsibilities

The Executive Director (Customers) has overall responsibility for this policy. The Head of Customer and Communities is responsible for the implementation of this policy. The Neighbourhood Managers, Community Safety Officers and Neighbourhood Officers are responsible for the operational delivery of the policy.

### Associated Documents and Good Practice

We must operate within the framework created by legislation. This policy has been written having regard to relevant legislation and good practice. This includes the following (non-exhaustive):

Anti-Social Behaviour, Crime & Policing Act 2014  
 Equality Act 2010  
 Housing and Regeneration Act 2008  
 Anti-Social Behaviour Act 2003  
 Human Rights Act 1998  
 Crime and Disorder Act 1998  
 Crime and Security Act 2001  
 Criminal Justice Act 2003  
 Data Protection Act 2018  
 Housing Act 1988  
 Housing Act 1996  
 Localism Act 2011  
 Social Housing Regulation Act 2023

In addition, our approach to ASB ensures that we meet regulatory requirements of the Neighbourhood and Community Standard.

This document is to be read in conjunction with:

Allocations/Empty Home Policy  
 ASB Procedure  
 Data Protection & Confidentiality Policy  
 Dealing with Violence/Aggression Policy  
 Domestic Abuse Policy  
 Hate Crime Procedure  
 Hoarding Procedure

Neighbourhood Management/Good Neighbourhood Policy  
Safeguarding Policy  
Tenancy Policy

Version Control
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Policy Owner:	Ceris Esplen – Executive Director (Customers)
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Lead Team	Neighbourhoods Team

The latest version of this policy should be viewed online from The Hub area of the IVH intranet, and any printed version cannot be relied on as the most current version