



Anti-Social Behaviour Policy including Hate Crime

Introduction

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

Irwell Valley is committed to managing our homes well, improving our communities and providing excellent services to customers. Irwell Valley works to improve the quality of life for all those living and working within our neighbourhoods and therefore tackling ASB effectively will have a positive impact.

Aims and Objectives

2.0 Our aim is to prevent incidents and the reoccurrence of ASB, as well as protecting those living or working in our neighbourhoods by ensuring it is tackled efficiently and effectively using a variety of approaches deemed suitable and proportionate. We will do this by:

- Adopting a harm centred approach to case management which helps to define ASB by looking at the behaviour type, impact of such behaviour on victims and taking into account all relevant circumstances.
- Work in partnership with other agencies such as the Police, Environmental Health and Local Authorities to prevent and minimise ASB in our neighbourhoods and to support customers and colleagues effectively.
- Ensure ASB is tackled efficiently and effectively using a variety of approaches including customer expectation and involvement, prevention, intervention, support, and enforcement (where applicable and practicable to do so).
- Deliver effective support services for both victims and perpetrators, ensuring all ASB complaints which affect our housing management function are dealt with in a non-discriminatory way.
- We will monitor good practice, statutory and regulatory requirements frequently.
- Assess each case report we receive to determine if ASB or not, looking at the risks, impact and circumstances involved, considering does the report meet the legal definition of ASB.
- We will be clear about our expectations from customers and will be open and honest from the outset in relation to the likely outcome of the case.

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) define 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 We have adopted the following definitions of ASB being conduct that:

- Causes or is likely to cause persistent nuisance and annoyance to anyone directly or indirectly as to interfere with the quiet enjoyment of their home or affects our housing management functions; or
- Consists of or involves using or threatening to use our homes and neighbourhoods for an unlawful purpose.

3.3 We consider the following to be examples of 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, unreasonable high levels of noise
- Using a property for illegal/unlawful purposes ie the production, storage and/or selling of illegal substances, storage of stolen goods, prostitution
- Arson

3.4 What we consider NOT to be ASB examples (*not exclusive and will be assessed in line with our Good Neighbourhood Management Policy*)

- General household noise due to everyday living at reasonable times including DIY, banging doors, shouting, cooking odours
- Disagreements/disputes between neighbours/lifestyle clashes
- Staring or looking at someone, people being rude, gossiping in the street
- One off parties
- Children playing
- Ball games
- Parking
- Property/Garden condition
- Animal noise/behaviour (unless persistent)
- Babies crying
- Smoking in own homes
- Cats in gardens
- Dog Fouling
- Misuse of communal areas
- Litter/Fly tipping/rubbish

4.0 Scope

4.1 Where, at our discretion, the ASB being committed does not directly or indirectly affect our housing management functions, 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 housing management functions to the relevant agencies in the first instance, as well as ourselves.
- 5.0 Approach to tackling ASB
 - 5.1 Customer – We will make it easy for customers to report ASB and we will provide advice on the options available to resolve the issue. We will keep customers informed throughout their case and look to resolve any issues as quickly as possible. We will collect customer feedback and use this to improve our service.
 - 5.1.1 We will require customers to work with us to resolve their complaint, for example recording and reporting further incidents, taking part in mediation, or attending court (where appropriate), with the support and/or advice from us.
 - 5.1.2 If it is appropriate to do so, we may require customers to take action themselves to resolve the matter. This may include us providing advice and guidance about how to approach a neighbour, for example, and discuss the matters with them directly. We will only take this approach when there is no perceived risk.
 - 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 security measures, pre-arranged contact as agreed with a named officer, referrals to appropriate agencies and accompaniment 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, granting starter tenancies to new customers of IVH.
 - 5.3 Early Intervention – We will consider the use of informal interventions, such as encouraging customers to speak directly 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 to agree future conduct.
 - 5.4 Partnership – Where appropriate we will work in partnership with partner agencies 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, attending meetings and case conferences to discuss specific cases and, where appropriate, referring a customer to another agency.
 - 5.5 Enforcement – Where appropriate and applicable to do so based on the information provided to us, we will also consider the use of relevant legal interventions, as provided for in current legislation, including obtaining injunctions against perpetrators of ASB, seeking possession of perpetrators homes 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, and we have all the evidence to substantiate enforcement action.
 - 5.5.1 When considering what, if any, legal intervention to take we will look to make fair, reasonable, and proportionate decisions based on all the facts available to us at the time.

5.6 Rehabilitation – We will work alongside partner agencies, where appropriate to do so, to offer rehabilitation to perpetrators of ASB to create more sustainable tenancies and communities.

5.7 Communication – We will acknowledge and contact customers to provide updates on their complaint in their preferred method of communication but will also explore other options if unsuccessful to ensure we engage with customers. This will include, contact over telephone, e-mail, text message, letter and completing home visits.

6.0 Reporting and Categorising ASB

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

- In person
- By telephone, 24 hours day, 7 days a week
- Via the Irwell Valley App
- Via Live Chat
- By email
- Letter
- Via another agency

6.2 We take a harm centred approach when defining ASB, taking into account the behaviour and the impact. Different people have different expectations, tolerance and perception. There may be on occasions the report that is 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 first carry out a triage process, by which we will gather a full understanding of what is happening and be able to effectively categorise the report quickly and effectively.

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 Risk category with a response within 1 working day

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

6.5 During the course of our case management, we may deem a case needs to be recategorised. This may occur, for example, if the behaviour and/or risk has become more serious.

6.6 A full risk assessment will be completed with the person making the complaint, and this will determine the necessary action required. The risk assessment will be 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 IVH treat Hate Incidents and Hate Crime as a high risk and high priority, therefore all cases and reports are reviewed initially by our Community Safety Officers. We will then thoroughly investigate every Hate Incident and/or Hate Crime that is reported to us.
- 7.2 Hate Incidents – 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.
- 7.3 Hate Crime – ASB that targets someone, and the criminal offence 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.
- 7.4 Personal Characteristics are:
- Disability
 - Gender Identity
 - Race
 - Religion or Belief
 - Sexual Orientation
 - Vulnerability
 - Age
 - Gender
 - Nationality/National Origin
- 7.5 Hate Behaviour (this includes both Hate Incidents and Hate Crime) can be in many different forms, they can be to an individual or targeted towards a property. They include verbal abuse, property damage, threats and acts of violence.
- 7.6 We recognise and acknowledge that hate related incidents cause upset, stress, and worry to individuals, families and the community. To ensure sustainable communities, we will deal with such behaviour quickly and effectively. We will work with all relevant partner agencies to support us, where necessary and appropriate.
- 7.7 We will ensure we have effective resources to deal with perpetrators of hate crimes and will use available powers as appropriate where necessary.
- 8.0 Domestic Violence & Abuse
- 8.1 Please refer to our separate Domestic Abuse Policy for such related matters.
- 9.0 Safeguarding
- 9.1 IVH has a separate Safeguarding Policy that will be adhered to if any safeguarding concerns are raised when dealing with reports of ASB.
- 9.2 The safeguarding of children and vulnerable adults is everyone's responsibility; this includes all colleagues, Board and Committee members, volunteers, contractors, and placement students. 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.

10.0 Reviewing and Monitoring Cases

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

- The volume of cases opened and case type
- The length of time taken to resolve a case
- Tools used to resolve/close a case
- Response times in cases, having regard to the seriousness of the ASB
- Satisfaction of how the case was handled, therefore where appropriate and necessary, improving the service that is provided by continuously reviewing feedback.

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

11.0 Value for Money

11.1 When determining what action to take to help resolve ASB we will consider value for money and evaluate the cost and time involved to ensure the most appropriate action is taken to resolve the issue.

Performance Reporting

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

- The volume of cases opened and case type
- The length of time taken to resolve a case
- Tools used to resolve/close a case
- Response times in cases, having regard to the seriousness of the ASB
- Satisfaction of how the case was handled, therefore where appropriate and necessary, improving the service that is provided by continuously reviewing feedback.

We will continue to 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 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

E.g., Internal Policy, External Guidance Documents, relevant legislation. Provide links to the documents and any websites that the good practice/current legislation comes from.

Forms and Procedures: Described but formatted as hyperlinks with the full address/location where they can be found should someone have a printed version of the policy and therefore cannot access the hyperlinks.

Version Control

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Approval Body	Leadership Team
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Policy Author:	Rachel Buckley – Neighbourhood Manager
Policy Owner:	Ceris Esplen – Executive Director (Customers)
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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