



Anti-Social Behaviour Policy Including Hate Crime

Policy

Introduction

- 1.1 This policy sets out our approach to tackling anti-social behaviour (ASB) and working with customers who experience ASB.
- 1.2 Irwell Valley works to improve the quality of life for all living and working within our neighbourhoods. We recognise that preventing and tackling ASB effectively will have a positive impact in our neighbourhoods.
- 2.0 Aim
- 2.1 Our aim is to marginalise ASB and make such behaviour unacceptable through the following:
- Prevention
 - Customer expectation and involvement
 - Early intervention
 - Partnership working
 - Enforcement
 - Rehabilitation
- 2.2 We will work in partnership with other agencies to prevent and resolve ASB in our neighbourhoods and to support our customers effectively.
- 2.3 The purpose of this policy is to protect our customers and those living or working in our neighbourhoods by reducing ASB and crime. This policy will reflect good practice and meet legal and regulatory requirements always. We will continually monitor good practice and statutory and regulatory requirements.
- 2.4 This policy sets out to ensure that all ASB complaints which directly or indirectly affect our housing management functions are dealt with in a non-discriminatory way and in line with regulatory guidelines and legal requirements.
- 3.0 Definition
- 3.1 ASB can cover a range of issues from inconsiderate behaviour to criminal behaviour. The ASB Crime and Policing Act (Part 1 s2(1)(b)(c)) ASB is defined as (for housing) “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”.

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

- causes or is likely to cause a nuisance or 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 to be anti-social behaviour, these examples are not exhaustive or exclusive:

- Violence against people and/or property;
- Aggressive and/or threatening behaviour or language;
- Any type of hate behaviour that targets members of identified groups because of their perceived differences;
- Domestic violence or abuse;
- Intimidation and/or harassment;
- Alcohol and/or drug related ASB;
- Using a property for illegal or unlawful purposes e.g. the production, storage and/or selling of illegal substances, the storage of stolen goods, prostitution;
- Noise nuisance such as shouting, banging/slamming doors, loud music etc.;
- Problems caused by pets such as persistent dog barking, fouling etc.;
- Litter, graffiti or dumping of rubbish i.e. fly tipping;
- Misuse of communal areas;
- Nuisance from vehicles including abandoned vehicles;
- Making false or malicious complaints about another person.

4.0 Scope of Policy

4.1 Where, in our sole discretion, the ASB being committed does not directly or indirectly affect our housing management functions, we shall work in partnership with relevant agencies - including the Police and Local Authority, to tackle the ASB.

5.0 Our Approach to tackling ASB

5.1 Prevention – we will implement preventative measures that help to minimise the risk of anti-social behaviour occurring, including applying a thorough allocations policy granting Starter Tenancies to new customer and publicising successful legal action against ASB.

5.2 Customer – We will make it easy for customers to report ASB and will provide advice on the options available to resolve the issue. We will keep customers informed throughout their case and will look to resolve any issues as quickly as possible. We will collect customer feedback and use this to improve our service.

5.2.1 We will require customers to work with us to resolve their complaint, for example recording and reporting further incidents, attending court, or taking part in a mediation process where appropriate, with support and/or advice from us.

5.2.2 We will maintain the confidentiality of customers who wish to remain anonymous, and will provide support to victims and witnesses of ASB. Examples of support include

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security measures, accompaniment throughout a court hearing, pre-arranged contact with a named officer and referrals to appropriate agencies.

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 appropriate; offering mediation where appropriate; providing advice; issuing verbal or 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, Probation Service, Fire 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 we will also consider the use of relevant legal interventions, as provided for in current legislation, including obtaining injunctions against the perpetrators of the ASB seeking possession of perpetrators’ homes, and asking partner agencies to make use of powers available to them, including dispersal powers.

5.5.1 When considering what, if any, legal intervention to take we will look to make fair and proportionate decisions based upon all the facts available to us at the time.

5.6 Rehabilitation – We will work alongside partner agencies to offer rehabilitation to perpetrators of anti-social behaviour to create more sustainable tenancies and communities.

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 report ASB:

- in person – at an Irwell Valley office or to a relevant member of staff
- telephone 24 hours a day, 7 days a week
- via the Irwell Valley APP
- email
- website
- letter
- through another agency

7.0 Hate Incidents and Hate Crime

7.1 Irwell Valley treat Hate Incidents and Hate Crime as high risk and high priority, therefore all cases are always reviewed initially by the specialist Community Safety Officers.

7.2 Hate Incidents are anti-social behaviour that targets someone and the act is perceived, whether it be 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 is anti-social behaviour that targets someone and the criminal offence is perceived, whether it be by the victim or any other person to have been motivated because of hostility or prejudice towards a person’s personal characteristics.

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7.4 Personal characteristics are mainly

- Disability
- Gender-Identity
- Race
- Religion or belief
- Sexual Orientation
- Vulnerability
- Age
- Gender
- Nationality or national origin

7.5 Hate behaviour (which includes both Hate Incidents and Hate Crime) can be in many different forms, they can be to an individual or to property. They include verbal abuse, damage to property, threats and acts of violence.

7.6 We acknowledge that hate behaviour causes upset, stress and worry to individuals, families and the community. We will work to ensure sustainability of communities by dealing with such behaviour quickly and effectively.

7.7 We are committed to working with all partners to prevent Hate behaviour and provide all victims with an appropriate and sensitive response.

7.8 We will build effective links with partner agencies to help with the prevention of Hate behaviour.

7.9 We will ensure we have effective resources to deal with perpetrators of Hate Crimes and will use all available powers to deal effectively with perpetrators of Hate Crime.

7.10 We will thoroughly investigate every Hate Incident and Hate Crime that is reported to us.

8.0 Domestic Violence and abuse

8.1 Please refer to separate Domestic Abuse Policy for any matters regarding Domestic Violence or Abuse.

9.0 Safeguarding

9.1 Irwell Valley has a separate Safeguarding Policy that will be adhered to if any safeguarding concerns are raised when dealing with reports of anti-social behaviour.

9.2 The safeguarding of children and vulnerable adults is everybody's responsibility; this includes all colleagues, Board & committee members, volunteers, placement students 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 which must be followed.

10.0 Reviewing and Monitoring ASB Cases

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

- The volume of cases opened and closed and types of cases;

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- The length of time it takes us to resolve a case;
- Tools used to resolve / close cases
- Response times in cases having regard to the seriousness of the ASB;
- Satisfaction with how we have handled the case and improving the service that is provided by continuously reviewing feedback.

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

10.4 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.

11.0 Value for Money

11.1 When determining what action to take to tackle 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.

Responsibility

12.1 The Head of Communities is responsible for the implementation of this policy. The Community Manager, Community Co-ordinators and Community Safety Officers are responsible for the operational delivery of the Policy.

Equality, Diversity and Inclusion Implications

13.1 Irwell Valley Homes is committed to treating people with honesty, dignity, respect, and trust. This applies to colleagues, customers potential customers, contractors, and Board Members. At IVH:

- Equality is about ensuring that every individual has an opportunity to make the most of their lives and talents.
- Diversity is recognising difference and responding positively to those differences.
- Inclusion is about creating an environment where our services and employment opportunities are accessible to all.

IVH will be mindful of the Equality Act 2010 in all its actions and will consider all the protected characteristics of the Act which are: Race, Sex, Gender Reassignment, Disability, Sexual Orientation, Religion or Belief, Age, Marriage/Civil Partnership and Pregnancy and Maternity explicitly. Further to the protected characteristics, IVH will be mindful of socio-economic disadvantage and will do everything in its power to minimise this and other forms of disadvantage.

13.2 All information/literature will be made available in other formats, such as digital or written or translated on request. The Association subscribes to The Big Word to ensure contact can be made with non-English speaking customers.

Current Legislation

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14.1 We must operate within the framework created by legislation. This Policy and subsequent Procedure have been written having regard to relevant legislation which includes the following non-exhaustive list:

Anti-social Behaviour, Crime and 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 1996
Housing Act 1988
Localism Act 2011

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

Cross Reference Documents/Good Practice

15.1 This document is to be read in conjunction with;

Allocations and Empty Home Policy
Anti-Social Behaviour Procedure
Data Protection and Confidentiality Policy
Dealing with violence and aggression policy and procedure
Domestic Abuse Policy
Domestic Violence Procedure
Hate Crime Procedure
Hoarding Procedure
Neighbourhood Management Policy
Risk Assessment Policy and Procedure
Safeguarding Policy
Tenancy Policy

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