



Westfield Housing Association

Anti-Social Behaviour Policy & Procedure

1.0 Introduction

Anti-social behaviour (ASB), harassment and disputes cause problems and dissatisfaction to many people, including tenants of Westfield Housing Association (WHA). Many people have had their quality of life severely damaged by the actions of those around them.

The Association is committed to working in partnership to effectively tackle and manage Anti-Social Behaviour (ASB) and harassment, across the communities we serve. This policy sets out our approach and commitment to doing this, in line with all relevant regulatory and legislative requirements. The Association regards the tackling of anti-social behaviour as one of its priorities. The Association will do its best to help resolve issues, stressing a conciliatory rather than confrontational approach wherever possible. All anti-social behaviour complaints will be treated seriously, with a response proportionate to the impact on the community and the levels of risk to the individual and the Association.

By its action the Association will show its current and prospective tenants that it will not tolerate anti-social behaviour. Where there is evidence of a serious breach of the tenancy agreement the Association will take action including injunctions and evictions.

2.0 Policy Statement

The Association aims to provide a quality service in dealing with anti-social behaviour which causes annoyance or nuisance to anyone living or otherwise associated with our properties or neighbourhood.

3.0 Purpose

The overarching aim of this policy is to support the Association's purpose of 'Providing high quality, affordable homes and sustainable communities.'

The Association recognise that ASB can have a damaging effect on communities. Unmanaged ASB can pose a risk to community sustainability, a risk to the wellbeing of those involved and a risk to the reputation of the association.

4.0 Legal Framework/References

The Association is committed to delivering a robust and effective response to ASB and harassment, in line with the following regulatory and legislative requirements:

The Regulatory Framework for Social Housing 2015, sets out, within its 'Neighbourhood and Community Standard', a number of required outcomes Registered Providers (RPs) should aim to achieve, in relation to ASB. This includes:

Registered providers shall publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties.

In their work to prevent and address ASB, registered providers shall demonstrate:

- that tenants are made aware of their responsibilities and rights in relation to ASB
- strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies
- a strong focus exists on preventative measures tailored towards the needs of tenants and their families
- prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available
- all tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not
- provision of support to victims and witnesses

The Association is also committed to meeting all associated legislative standards within the following legal framework:

- ASB, Crime and Policing Act 2014
- Equality Act 2010
- The Protection from Harassment Act (PHA) 1997
- Crime and Disorder Act 1998, as amended 2002
- Housing Act 1996 Section 218A (S218A)
- Human Rights Act 1998
- UK General Data Protection Regulations (UK GDPR) 2018 and Data Protection Act 2018
- Domestic Abuse Act 2021 3.4

General Data Protection Regulations (GDPR)

Westfield Housing will treat any reports of ASB confidentially.

Disclosure of personal information outside the Association will only be made with the informed consent of the individual concerned except in certain circumstances, for example:

To comply with the law or a court order:

- where, in the view of the Association, there is a significant safeguarding concern.
- where there is a clear health and safety risk or evidence of fraud.
- in connection with court proceedings or statutory action to enforce compliance with tenancy conditions.

For more information you can access the Westfield Housing Privacy Notice [here](#) on our website.

5.0 Definitions

The Anti-Social Behaviour (ASB), Crime and Policing Act 2014 defines 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.

The Equality Act 2010 defines harassment as: Unwanted conduct, and the conduct has the purpose or effect of:

- Violating the victim's dignity, or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for the victim.

6.0 Responsibilities/Procedure

The Association recognises that it is important to deal with matters in a sensitive manner which encourages complainants to feel confident about how the matter will be progressed and that they will receive reports on whatever is ultimately decided about the most appropriate action to be taken.

Our Housing Services Officers will stress the importance of a conciliatory rather than a confrontational approach wherever possible and involving partnership agencies as appropriate. They will take action quickly in proven cases of harassment and victimisation. All new staff are advised of the Association's approach towards anti-social behaviour and housing management staff are kept up to date with appropriate remedies through training and updates.

In delivering all services to residents and prospective residents, the Association is committed to ensuring equality, diversity and inclusion. In managing cases of ASB and harassment, we will ensure that all involved parties are treated in a fair, equitable and consistent manner. We will consider any specific needs of those parties involved and will tailor our approach to account for any specific needs, as appropriate.

In managing reports of ASB and harassment, the Association will aim to:

- Demonstrate a commitment to preventing and tackling ASB.

- Provide an accessible and accountable service.
- Take timely and proportionate action to resolve issues.
- Adopt a supportive approach to working with victims and witnesses.
- Deal with complaints in the strictest confidence and in accordance with our legal obligations
- Encourage individual and community responsibility.
- Have a clear focus on prevention and early intervention, through partnership working with multiple agencies, including mediation services, where appropriate
- Commit to shaping our future services, using feedback from residents.

The Association will provide information to residents, with clear examples of where we may be able to take action, and examples where we will signpost to other agencies, for their advice and support.

Examples of ASB reports and complaints, where we may be able to take action, and where we may signpost to other agencies, are shown in the table below:

Where we may be able to help	Where we may signpost to other agencies
Violence or threats of violence	Dog/animal, straying/fouling/general noise
Domestic abuse	Children playing
Hate crime	One off noise complaint
Serious noise nuisance	Verbal arguments
Damage to Westfield Housing Association's property	Parking issues or boundary disputes
Targeted nuisance	Damage to property not owed by WHA
Drugs sold/supplied from a WHA property	Drug use in general outdoor areas

Ways to report Anti-Social Behaviour

There are several ways that Anti-Social behaviour can be reported to WHA including:

- The tenant's portal
- The website
- By phoning the office during office hours
- By emailing enquiries
- By writing to Westfield Housing
- In person at the office during office hours

Obligations of Tenants

Tenants have a duty to comply with their tenancy conditions. This includes a clause stating that they should not cause ASB, for example nuisance or cause racial or religious harassment to their neighbours or allow their premises to be used for illegal purposes. The obligation extends to those living in or visiting the property.

Prevention

The Association endeavours to explore every available option to help tenants sustain their tenancy in the first instance before approaching tenancy enforcement.

Prevention is an essential part of our approach to anti-social behaviour, and we encourage early action to prevent issues from escalating.

In that respect, it is the Association's belief that the promotion of early dialogue between the complainant and the perpetrator is often the best way forward initially. Measures that assist us in prevention include:

- Structured interviews
- Use of Acceptable Behaviour Contracts
- Encouraging mutual respect and dialogue between neighbours
- Mediation and restorative conferencing
- Referrals to the Cumberland (Multi-Agency) Focus Hub and other agency for support, for example Cumbria HaWC (health and well-being coaches) and social care
- Good Neighbour agreements

We also recognise the positive effect that we can have through the active support of and involvement with potential perpetrators of nuisance. For example, signposting to the relevant expertise to help them and minimise the impact of their behaviour on the community.

Supporting Witnesses

Of paramount concern for the Association is the safety and well-being of victims and witnesses. The Association aims to provide appropriate support to witnesses through all stages of the process from report to remedy, by assessing risk and signposting and referring to outside agencies, for example victim support.

7.0 Linked Documents

This policy & procedure and the associated procedures should be read in conjunction with the following WHA policies and strategies:

- Access to Homes Policy
- Abandoned Properties Policy.
- Complaints Policy
- Domestic Abuse and Sexual Violence Policy
- Void Management Policy
- Equality, Diversity & Inclusion Strategy

- Data Protection (GDPR) Policy
- Safeguarding Adults & Children Policy

8.0 Reporting & Risk

Regular reports will be provided to Executive Team as part of our performance reporting. Performance indicators and targets on ASB are set and also discussed at housing meetings, full team meetings, Customer Panel meetings and line management meetings. Performance reports will highlight particular trends and issues to allow discussion of issues affecting residents and the community.

To be completed by Corporate Services Officer

Document Control

Business Owner (name & job title)	Julie Armstrong (Housing Services Officer)
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