

Habitare Homes Limited: Anti-Social Behaviour Policy

Version:	v2.0
Date adopted:	April 2024
Date of next review:	April 2026

1 | Introduction

- 1.1. Habitare Homes Limited (“**Habitare Homes**”) is committed to tackling anti-social behaviour (ASB) as we know that it can have a significant negative impact on the lives of our residents in the communities that we work. Anti-social behaviour covers the range of behaviours from low-level nuisance to serious harassment, which can damage the quality of life and interfere with the ability of people to use and enjoy their home and/or community.
- 1.2. Habitare Homes will not tolerate nuisance or anti-social behaviour directed towards our residents, their visitors or any others engaged in a lawful activity in the locality of our homes, including our colleagues, contractors and others acting on our behalf.
- 1.3. This policy sets clear guidelines on how we deal with nuisance and anti-social behaviour and will be jointly implemented with our managing agents.
- 1.4. We will ensure that all our residents are made aware of the need to comply with all the obligations in their shared ownership lease.

2 | Scope

- 2.1. This policy applies to all residents that live in Habitare Homes properties and will also cover the conduct of visitors to Habitare Homes properties and estates.

3 | Definitions

- 3.1. Anti-Social Behaviour is defined by Part 1 of the Antisocial Behaviour, Crime & Policing Act 2014, 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

3.2. Harassment is a specific form of ASB that is targeted at a person or group of people for any reason. We base the definition of harassment on the Equality Act 2010:

“Any unwanted behaviour affecting a person’s well-being or dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment”.

4 | Policy Commitment

4.1. Habitare Homes recognises that other agencies have the responsibility and authority to deal with ASB. We take our duties to tackle anti-social behaviour seriously but realise that the Police or a local authority’s environmental service are the more appropriate agency to deal with some issues of ASB.

4.2. This policy aims to:

- Prevent and minimise the amount of ASB experienced by our residents and customers;
- Ensure we take a victim-centred and robust approach to tackling ASB, including prevention and intervention;
- Ensure all residents and customers are treated in a fair and equitable manner. We will work in partnership with communities and local organisations to ensure we tackle discrimination and promote equal rights.

4.3. Criminal behaviour

4.4. We expect our residents to report incidents that involve possible criminal behaviour to the Police to investigate. This would include:

- Violence and threats of violence
- Harassment - Gender, Age, Disability, Religion, Sexual orientation, HIV/Aids, Mental health, Race, Alternative Sub-cultures
- Drug related crime
- Public Order Offences – verbal abuse/intimidation
- Arson
- Sexual offences
- Offensive weapons

4.5. We would expect the Police to take the necessary and appropriate action and will support them in their investigation. Where the Police close their investigation without any action against an individual, we would not normally take any additional action ourselves or investigate the matter further.

4.6. Anti-Social Behaviour

4.7. Anti-social behaviour covers a wide range of activities including:

- violence or threats of violence;

- hate crime and harassment;
- domestic abuse;
- noise nuisance;
- pet and animal nuisance;
- verbal abuse;
- damage to property/vandalism;
- intimidation;
- drug, alcohol or substance abuse;
- rubbish, fly-tipping and overgrown/unkempt gardens;
- intimidation or harassment;
- vandalism and damage to our buildings e.g. graffiti.

4.8. Everyday living noise that is unlikely to be classed as ASB includes:

- banging doors;
- footsteps from adjoining properties and/or communal areas;
- noise of children running or playing;
- loud talking from adjoining properties and/or communal areas;
- low level noise from TV's, radios or music;
- noise from washing machines, vacuum cleaners other domestic appliances;
- one off parties or festival/events - such as bonfire night;
- DIY at reasonable hours;
- running up and down stairs.

4.9. Noise: Noise complaints that are classed as ASB must be reported to the relevant local authority's environmental health service who will advise on their procedures. We will provide support through our property managers to complete diary sheets and supporting evidence as required for any investigation.

4.10. We expect residents to show tolerance and understanding towards their neighbours. We only take formal action if we are satisfied that the evidence demonstrates that an individual or individuals have acted in an anti-social manner.

4.11. Dealing with a report of Anti-Social Behaviour: Habitare Homes aims to respond to reports of ASB promptly. Each case will be assessed by the relevant property manager, and we aim to inform the resident of an outcome within 5 working days. Once a case is open, we will:

- keep the person who reported the incident updated on the progress of the case; and

- write or email them when a case is closed.
- 4.12. Our response to instances of ASB: We will always consider a range of appropriate responses which are proportionate to the level of ASB and the impact it has caused. Responses may include:
- Referrals to relevant statutory and voluntary agencies
 - Issuing warnings
 - Continuing with ongoing monitoring and support for the victim
 - Referring the perpetrator to support services to help change their behaviour
 - Utilise other non-legal remedies to try and solve the problem including mediation
 - Enforcement of lease conditions
 - Ongoing support to victims which could include exploring alternative housing options.
- 4.13. Multi-Agency partnership working: Habitare Homes approach is to identify and develop relationships with other agencies in our efforts to tackle ASB. We are committed to working in partnership at strategic and operational levels to support complainants and witnesses. Where it is deemed appropriate, complainants or reports will be referred to partner agencies, such as the local authority and the Police under an information sharing protocol. In these cases, we will work with them and our own actions will support any investigation being undertaken.
- 4.14. Safeguarding: In applying this policy, we will carefully assess any safeguarding issues as they relate to either the perpetrator or the victim and take action appropriately. This may include referring to other statutory agencies where we consider it appropriate.
- 4.15. Working with organisations who manage our stock: Our properties will be managed by a third party in line with this policy.

5 | Monitoring and Performance

- 5.1. The board has overall responsibility for this policy, which will be implemented by Habitare Homes managing agents.
- 5.2. The policy will be reviewed and revised every two years unless legislation, business or sector developments require otherwise – to ensure that it continues to meet the stated objectives and takes account of good practice developments.

6 | Legislation and Regulation

- 6.1. This policy should be read in conjunction with the legal and regulatory documents listed below:
- Antisocial Behaviour, Crime & Policing Act 2014

- Crime and Disorder Act 1998
 - Data Protection Act 2018
 - Equality Act 2010
 - Human Rights Act 1998
 - Protection from Harassment Act 1997
 - The Housing Act 1996
 - The Environmental Protection Act 1990
 - The Environmental Protection Act 1990
 - UK General Data Protection Regulation
 - Home Office: ASB powers, statutory guidance for frontline professionals
-