



## **POLICY**

### **Anti-Social Behaviour (Council Housing Tenants)**

## **Policy review record**

The ASB Policy was approved by Executive and Issued on the 15 June 2021.

### **1.0 Introduction**

This Policy sets Ipswich Borough Council's approach to tackling antisocial behaviour (ASB) that has an impact on, its tenants and leaseholders and/or is perpetrated by them.

This document reflects the statutory obligation under Section 12 of the [Anti-social Behaviour Act 2003](#), which requires a landlord to prepare and publish a Policy and Procedure in relation to anti-social behaviour.

The Council recognises that preventing and tackling ASB effectively will have a positive impact within its communities and neighbourhoods. Where appropriate, the Council will work in partnership to prevent and resolve ASB and support tenants effectively by, sharing information; identifying hotspot locations; providing professional advice and support to tenants; taking appropriate enforcement action and delivering initiatives to reduce ASB effectively.

### **2.0 Policy Statement**

The Council is committed to tackling incidents of ASB. All reports of ASB will be taken seriously and where relevant, the appropriate action will be carried out to ensure a prompt and permanent solution. This will include enforcing tenancy conditions to resolve breaches caused by any tenant or visitor(s) to a Council house, using the powers set out in the [Anti-social Behaviour, Crime and Policing Act 2014](#).

The Council is committed to supporting those who have been affected by ASB and monitoring and evaluating the effectiveness of its services to address ASB. Performance will be reported widely and necessary changes to the service will be made in relation to Best Practice procedures and tenant feedback.

This Policy supports the Council's objective in building Safe Communities.

### **3.0 Scope**

This Policy sets out the Council's role and responsibilities on ASB in relation to being the landlord of Council homes. It applies to Council tenants and leaseholders that cause ASB or allow their household members, or visitors, to do so within the property which amounts to a breach of the Tenancy or Lease agreement.

Tenant and lessee responsibilities are set out in the [Tenancy Agreement](#), [Tenants Handbook](#) and Leaseholder Handbook.

This is a high-level Policy. ASB Officers should read this Policy in conjunction with the associated internal ASB Procedure document and ASB Working Guidance.

#### **4.0 Definition of ASB**

ASB is specified under the [Anti-social Behaviour, Crime and Policing Act 2014](#) as:

*“conduct that has caused, or is likely to cause, harassment, alarm or distress to any person”.*

For the purposes of this Policy, this definition has been extended to include behaviour by residents, groups of residents, members of their household or their visitors, which would generally be considered to cause annoyance, nuisance or disturbance to other people in the area.

Examples of ASB can include but are not limited to:

- Aggressive and/or threatening behaviour or language
- Intimidation and/or harassment
- Making false or malicious complaints about another tenant
- Violence against people and/or property
- Domestic violence/abuse
- Hate behaviour targeted to members of identified groups because of their perceived differences
- Vandalism
- Misuse of communal areas
- Noise, including excessive noise nuisance, such as shouting, loud music, constant banging/slamming of doors, etc.
- Irresponsible pet ownership such as persistent dog barking, fouling, etc.
- Failure to maintain and/or inappropriate use of gardens
- Fly tipping
- Alcohol and drug related ASB
- Using a Council property for illegal or unlawful purposes e.g. the use of, production, storage and/or selling of illegal substances, storage of stolen goods, prostitution
- Gang membership or affiliation

#### **5.0 Approach to Tackling ASB**

The Council will use a range of informal methods to resolve ASB including referrals to Support Services, Mediation, Acceptable Behaviour Agreements, Verbal and Written Warnings.

The Council will aim to resolve issues at the earliest opportunity by using appropriate and timely intervention. Where enforcement action is considered necessary, legal sanctions will apply where other methods are deemed to be inappropriate or have failed.

ASB cases are often complex and time is needed to collate sufficient evidence to support resolution actions and ensure a successful outcome. The Council will liaise with the complainant to ensure that they are kept updated on the progress of their case.

## **6.0 Reporting Anti-social Behaviour**

The Council encourages and supports Tenants, its Employees, Contractors and Visitors to report problems of ASB. Anyone reporting ASB will play a key role in its successful management and outcome. Complainants are expected to co-operate with reasonable requests to assist the Council to progress with an appropriate response to reports of ASB. This may include agreeing to self-resolution actions, keeping records of incidents, or taking part in mediation. The Council may not be able to take further action to resolve the ASB without reasonable co-operation from complainants.

All reports of ASB will be treated as an open case until it is agreed with the complainant and the Council, that the case can be closed.

## **7.0 Method**

The Council has a number of Tools and Powers available to deal with complaints of ASB. Each case will be considered on the evidence available and the most appropriate action agreed to be taken.

## **8.0 Children, Young People and Vulnerable Adults**

Where an ASB Officer has concern about a young or vulnerable persons' welfare, whether or not the subject has a direct connection to the case they are investigating, it is their duty to ensure these concerns are properly logged and passed to the appropriate safeguarding agency.

## **9.0 Partnership Working**

The Council will work with partnership agencies such as the Police, Probation Service, Fire Service, Health Services and Youth Offending Service as appropriate. This may include sharing information, attending meetings and case conferences to discuss specific cases and, where appropriate, referring a tenant/s to another agency.

## **10.0 Information Sharing and Confidentiality**

This Policy contributes to the Council's duties and powers under the [Crime and Disorder Act 1998](#) to work in partnership and share information, when required, in order to tackle ASB priorities.

Information received will be treated in the strictest of confidence although in certain circumstances there may be a legal obligation to share relevant information with other statutory agencies, such as safeguarding concerns.

The Council will ensure that the information shared is necessary and for the safety and well-being of the person and others who may be affected by their actions.

ASB cases are recorded on a secure case management system and all case files are stored securely. Data is held in accordance to the Data Protection Act 2018 and Records Management Policy. Information will be retained in line with the Council's retention period.

### **11.0 Equality and Diversity**

The Council is committed to tackling the barriers and discrimination that many people face, and recognise that certain people and groups may be disproportionately affected by crime and ASB because of their race, gender, gender reassignment, disability, sexual orientation, religion or belief or age.

This Policy will be implemented in accordance with the Council's Equality and Diversity policy.

### **12.0 Review**

This Policy will be reviewed annually after approval or as required due to legislative changes.