
Landlord Service Anti-Social Behaviour Policy

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Housing Services

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1 INTRODUCTION

1.1 Purpose

Stroud District Council recognise that Anti-Social Behaviour (ASB) can reduce the quality of life for tenants and have a detrimental impact on the lives of victims and the wider community. We recognise that people feeling safe in their own homes is important to how they feel about the community they live in.

Tackling ASB and nuisance is essential to achieving this outcome. We aim through this policy to prevent and reduce harm caused by ASB to individuals and communities.

The purpose of the policy fulfils a legal requirement for the Council to publish an ASB policy and supports the Council in its function as a landlord to provide effective housing management.

1.2 Scope

This Policy applies to Stroud District Council's landlord functions as a registered provider of social housing. The policy complements Stroud District Council's overarching Anti-Social Behaviour Policy 2024.

SDC will not tolerate ASB by tenants, groups of tenants, members of their household or their visitors. This policy applies to tenants, leaseholders, shared-owners and all others residing in SDC housing.

This policy sets out:

- Our commitment to tackling antisocial behaviour
- How we will work with partner organisations to deter and tackle ASB
- A zero-tolerance approach towards Hate Incidents
- To encourage reporting and enable tenants to report ASB via a range of channels/tools
- Details of how we will keep tenants updated and informed.
- A commitment to take appropriate and proportionate action using the full range of tools and powers available.
- Support to tenants who are affected by ASB

SDC has a separate Domestic Abuse Policy that sets out our approach to reports of domestic abuse.

2 WHAT IS ANTI-SOCIAL BEHAVIOUR (ASB)?

2.1 Definition of anti-social behaviour

ASB is defined under Part 1, Section 2 of the Anti-Social Behaviour Crime & Policing Act 2014 and for the purposes of this Policy as:

- Conduct that has caused or is likely to cause, harassment, alarm, or distress to any person.
- Conduct capable of causing nuisance and annoyance to a person in relation to that person's occupation or residential premises
- Conduct capable of causing housing related nuisance or annoyance to a person.

2.2. Examples of ASB

ASB can include but is not limited to (this is not an exhaustive list):

- Threatening and abusive behaviour
- Assault
- Intimidation and harassment
- Hate Crime
- Drug dealing and or substance abuse.
- Repeated and excessive noise
- Pets & animal nuisance
- Fly tipping
- Graffiti
- Damage to property or communal areas

2.3 Hate Crime and Incidents

Stroud District Council has a zero-tolerance approach to hate crime.

A Hate Incident is any incident which the victim, or anyone else thinks, is based on someone's prejudice towards them because of their (actual or perceived) race, religion, sexual orientation, disability or because they are transgender.

When hate incidents are reported, SDC will investigate and working in partnership with the Police and Victim Support will take appropriate action.

2.4 Activity not considered ASB

Some behaviour may cause nuisance to individuals but may not be regarded as ASB by SDC. Examples of these behaviours can include:

- Children playing in their home or garden at reasonable times of the day

- The use of unallocated parking spaces
- Occasional noise or disturbance
- Cooking smells
- Occasional dog barking
- Everyday living noise (for example vacuum cleaners or washing machines)
- Home improvements being carried out at a reasonable time of the day and for a reasonable period of time

When considering whether a report of an action is ASB or not, we will take into consideration whether the action or behaviour is unreasonable, has escalated or is targeted.

The SDC tenancy agreement gives tenants clear guidance on expectations of behaviours.

When investigating a report of ASB, tenants will be required to provide evidence detailing what they have experienced. The standard of evidence provided will be considered when deciding on a course of action.

3 NEIGHBOUR DISPUTES

Tenants must comply with the terms of their contractual tenancy agreement and show due consideration to their neighbours. They are also responsible for the behaviour of their household members and visitors and must not allow or commit any acts of ASB.

An important factor of sustaining communities is the recognition and acceptance by our residents that the initial responsibility lies with them to resolve disputes with others.

Therefore, neighbour disputes will be dealt with under the ASB policy but in the first instance only mediation will be offered (via [Home - Restorative Gloucestershire](#)) as a solution to both parties taking responsibility in finding a way forward. If the dispute escalates to abuse or threats this behaviour will be investigated and dealt with under the ASB policy.

4 HOW WE WILL TACKLE ASB

4.1 Accessing our Services

We will always encourage tenants to speak to each other in the first instance of low-level ASB.

If this is not an option or the ASB has not been resolved, then tenants can report ASB to us by:

- Completing our online form via the SDC website
- Phoning their Housing Officer on 01453 766321

- Phoning the Police on 101 (or 999 in an emergency)

4.2 Partnership Working

Stroud District Council is a member of the Stroud Community Safety Partnership which includes a key number of partners including The Council and the Police, all of which have a significant role to play and by working together we can develop safer and stronger communities.

Representatives from Landlord Services will attend a range of operational, tactical and strategic partnership meetings to share information, problem solve, and to ensure ASB is dealt with swiftly and effectively.

4.3 Actions Taken when ASB is Reported

Following an initial report of ASB a Housing Officer will contact the victim to discuss evidence required and to develop an agreed action plan. We require evidence to take further action and will offer ASB diaries and/or the ASB App to collate the evidence.

We will keep the tenant up to date on actions taken whilst the case is being investigated. If evidence is not forthcoming, we will confirm that we are closing the case within 5 days of this decision being made. If you are unhappy with the decision to close the case, we will give you advice on how this can be reviewed, which could include an ASB case review (see section 6).

4.4 Managing Cases and Assessing Risk

Assessing risk is an important part of case management. Whilst assessing the risk we will identify the impact the behaviour is having on the victim, whilst a detailed investigation is under way. The Housing Officer will complete a Risk Assessment and Action Plan at the beginning of the case and will offer a referral to Victim Support to ensure you are supported throughout the investigation.

4.5 Early Intervention

Dealing with ASB can be complex but most cases can be resolved through early interventions such as:

- Tenancy Support
- Mediation
- Target Hardening Measures (e.g. provision of window and door locks and security lights)
- Informal Action
- Acceptable Behaviour Contract

If early interventions fail and the behaviour continues to escalate then Legal action will be considered if we consider it is necessary, appropriate and proportionate to take further action.

4.6 Supporting Witnesses and Complainants

The Council recognises the appropriate support given to witnesses and complainants is crucial to carrying out a high-quality investigation with the right outcome, which is to stop the ASB and where applicable, to learn from the experience.

To be able to do this the Council will:

- Assist and support in completing witness statements.
- Manage the ASB in line with its service standard and policy.
- Ensure witnesses and complainants are involved in managing the ASB.
- Keep the witnesses and complainants updated on the progress of their case.
- Arrange suitable support where required.
- Suitable support is given before and at court with any reasonable out of pocket expenses being reimbursed.
- Offer practical measures to ensure the safety of the witnesses.
- and complainants either within their home or other solutions where appropriate.

Witnesses will be expected to provide witness statement(s) and attend any court hearing(s) to ensure a robust case is presented.

4.7 Vulnerability

For the purpose of this policy, vulnerability is defined as:

- *individuals who have a **particular characteristic** and/or experience an **exceptional life event** and are currently **unable to act independently** and/or are **unable to cope** with managing their tenancy without additional support.*

If a person is deemed vulnerable, interventions will be made as soon as possible to prevent further problems occurring. Every effort will be made to work with a vulnerable person, whether they are the victim or the alleged perpetrator. Stroud District Council complies with the Public Sector Equality Duty (PSED) and promotes equality and equity across its services. PSED will be applied

when the victim or alleged perpetrator is vulnerable and appropriate support will be requested.

Where the support cannot be applied by the Council, a multi-agency meeting will be organised to discuss the case with the relevant partnering agencies ensuring the outcome has the right level of support to be offered.

Where support is rejected by either the victim or the perpetrator the ASB case will be reviewed to assess whether the case should be continued, or an alternative action or solution is required. It is important that the complainant or perpetrator provide the Council with honest and up to date information about their health and wellbeing to allow Housing Services to offer the most appropriate support package.

4.8 Case Resolution

We will close ASB cases in the following circumstances:

- An investigation deems the behaviour reported to us not to be ASB.
- An Investigation has taken place but there is no/insufficient evidence submitted to warrant further action.
- Early Intervention has been successful.
- The reporter confirms the ASB has ceased.

4.9 ASB Towards SDC Staff and Contractors

SDC will not accept abusive behaviour or language against staff, Councillors or its contractors whilst investigating ASB or otherwise in the course of undertaking our housing management functions. The appropriate action will be taken if this occurs.

In the management of ASB, SDC's staff will be appropriately trained to identify and investigate ASB reported cases; staff will be able to cope with sensitive and difficult circumstances. Staff dealing with ASB will continue to receive regular specialist training to assist them with the skills and knowledge required to effectively tackle ASB including safeguarding for both adults and children.

5 PUBLICITY

The Council will ensure the wider community is made aware of our activity and successful resolutions to prevent and tackle ASB through effective publicity.

We may publish case resolutions in the media where information has already been made available in the public domain. We may do this to encourage other witnesses and victims to come forward in other cases and also where it may act as a deterrent.

SDC will decide where to publicise this information on a case-by-case basis, balancing the rights of the individual(s) and those of the wider community. As a general rule we would not publish personal data. See section 7 for further information.

6 COMPLAINTS AND CASE REVIEWS

6.1 Complaints

If a customer is not happy with the way we are handling a case and feels there has been a failure in service, they can make a complaint through SDC's Complaints and Feedback Policy. [Complaints and feedback](#)

6.2 ASB Case Review

Individuals can activate the ASB Case Review and instigate the Council's complaints procedure simultaneously.

An ASB Case Review is a statutory requirement (ASB Crime & Policing Act 2014), designed to provide an opportunity for victims of ASB to have their case independently reviewed and this is managed by the Office of the Police & Crime Commissioner.

The threshold for an ASB Case Review to be undertaken is:

- Three or more reported incidents of anti-social behaviour, including hate incidents, to relevant agencies
- The incidents occurred on separate occasions, within a six month period.
- The ASB is an ongoing issue

The ASB Case Review is an audit of anti-social behaviour and determines if SDC has followed their policies and procedures and put forward reasonable resolutions to resolve the ASB.

The ASB Case Review can be instigated by:

- Email: asbcasereview@gloucestershire.police.uk

- Phone: 01452 754601
- Apply online at www.gloucestershire-pcc.gov.uk

7 DATA PROTECTION AND CONFIDENTIALITY

7.1 Data Protection

Tenant Services will share relevant information with third parties for the purposes of preventing, investigating and tackling anti-social behaviour. When sharing personal information, we will comply with all aspects of the GDPR and the DPA. Tenant Services Privacy Notice can be found on the Council's website at <https://www.stroud.gov.uk/council-and-democracy/about-the-council/access-to-information/privacy-and-cookie-policy/privacy-notice> and the full legislation General Data Protection Regulation 2016, Data Protection Act 2018, Crime and Disorder Act 1998.

7.2 Confidentiality

Any information supplied to SDC to assist in the investigation of ASB will be taken in confidence and will only be shared to the appropriate relevant parties. SDC recognises that some victims will want to remain anonymous.

The complainant will always be advised on how the information or detail they have supplied will be used in resolving the ASB. There is a requirement for victims to cooperate with SDC to assist their investigation and any formal action taken supports a successful resolution.

8 MONITORING PERFORMANCE

We are committed to monitoring and improving our performance in managing and resolving ASB. Monitoring will include:

- Regular performance reporting to Housing Committee and to tenants
- Benchmarking our service against similar local authorities and social landlords.
- Reviewing customer experience using Tenant Satisfaction Measures and transactional surveys at case closure.

9 POLICY REVIEW

This policy will be reviewed as the need arises through changes to legislation or regulation or no later than 3 years from its implementation date.

Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.

10 RELEVANT LEGISLATION

- Anti-Social Behaviour, Crime & Policing Act 2014
- Environmental Protection Act 1990
- Housing Acts 1985, 1996 and 2004
- Crime & Disorder Act 1998
- Data Protection Act 2003
- UK GDPR 2016
- Equalities Act 2010
- Human Rights Act 1998
- Mental Health Act 1983
- Care Act 2014
- Social Housing (Regulation) Act 2023