



# **Anti-Social Behaviour & Community Safety Policy**

**Lead Officer: Emma Morgan, Head of Housing & Support**

**Last Review: 2018**

**Next Review: 2026**

## DRAFT NOVEMBER 2023

Policy Owner	Emma Morgan, Head of Housing & Support
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## **Introduction**

Caredig is committed to preventing and tackling anti-social behaviour (ASB) and recognises the devastating affect such behaviour, if not properly addressed, can significantly impact on the quality of life for those affected and the wider community.

Caredig believes that everyone has the right to their chosen lifestyle if this does not affect the quality of life of others or breach the terms and conditions of any contract in place between the Caredig and the Tenant. This requires tolerance, acceptance and respect towards the needs and choices of other people. Tenants are expected to take responsibility for minor personal disputes with their neighbours and Caredig will offer advice and information to enable this to happen effectively.

## **Aims**

The aim of this policy is to ensure that a Caredig provides a consistent approach in responding to and reducing ASB across all business areas, whilst ensuring we provide support and advice to both complainants and persons reported throughout the whole process.

Caredig's approach to preventing and tackling ASB is that eviction is a last resort. We will work with the Police, support agencies, social services and health to prevent and resolve issues as they arise. We will take enforcement action but only when it is necessary, proportionate, and appropriate to do so.

We aim to ensure that there is clear guidance on when and how Caredig can intervene in ASB and when our intervention is not suitable to ensure all persons are treated in a fair, consistent and unbiased manner whilst considering the needs and vulnerabilities of our residents when we respond, investigate, or take enforcement action during the management of ASB complaints.

## **Definitions**

For the purpose of this policy and procedure, Allocated Officer can be a Community Housing Officer, Extra Care Manager, Support Worker, Service Coordinator, Team Leader or Operational Manager.

For the purpose of this policy, tenant is used to describe the contract holder.

Anti-social Behaviour is a broad term for describing different types of behaviour but for the purpose of this policy we mean behaviour that relates to:

## **DRAFT NOVEMBER 2023**

*'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'.*

*ASB, Crime and Policing Act 2014*

The above bullet points set out the legal definitions of ASB. In practice, judgement will be exercised in deciding what amounts to ASB in individual situations.

Different people may become distressed or alarmed by different types of behaviour and activity. We will not always get involved in everything that is reported to us as causing a nuisance or annoyance.

There may be incidents that are reported to Caredig that we would not consider that to be ASB. This includes, but not limited to:

- Flushing toilets
- DIY at reasonable hours
- Cooking smells
- People walking within their homes
- People smoking in their homes or gardens
- Washing machines / Vacuums
- Babies crying or playing
- Children playing or arguing
- Riding scooters / Skateboards / Bikes
- Playing football in the street
- People being inconsiderate or thoughtless
- People looking or staring
- Lifestyle or personal disputes
- One off parties / BBQ's

### **Support of Complainants and Witnesses**

We want to ensure that complainants and witnesses feel supported when they report ASB, by offering day to day support right through to helping them attend court. As a minimum standard we will provide a named contact who will maintain a regular contact, keeping them fully informed as possible throughout the process.

The level of support given will be tailored to meet the needs of that particular individual and the circumstances of the case. Where appropriate, we will assist complainants to access support and assistance from other agencies.

## **DRAFT NOVEMBER 2023**

Caredig believes that the complainants play a key part in the successful management of ASB. Complainants are expected to co-operate with reasonable requests to assist in progressing reports of ASB (such as agreeing to self-resolution actions, keeping appointments, keeping records of incidents, taking part in mediation, reporting incidents to the Police). Complainants may also be expected to attend court and provide a witness statement and will be fully supported by Caredig to do this.

Caredig retains absolute discretion in the management of ASB. In cases where a complainant is unwilling to report ASB to the police and/or other agencies or to keep records of the incidents we reserve the right to close the case without any further investigation, if deemed appropriate to do so.

We also understand that some people may want to remain anonymous, please be assured that we treat your personal details with the utmost care and confidentiality. We will do our best to protect your identity but your allocated officer will advise you if this is not possible, for example if the incident is one that you are directly involved in. If you chose not to leave your name and contact details, we may not be able to pursue your complaint as we will be unable to substantiate your concerns.

### **Supporting and addressing behaviours that initially may present as ASB**

In order to find a long-term solution and reduce the risk of reoccurrence, Caredig has adopted an approach to get to the root cause for the behaviours that often present to others as ASB.

ASB can often be linked to drugs and alcohol misuse, poor mental health, domestic abuse, disability or social and financial struggles. In all cases, a sensitive and supportive approach will be used. We will work with our partners in health, Police and support agencies and where appropriate, we will assist residents to access further support and assistance from other agencies.

### **Prevention of ASB & Partnership Working**

Caredig aim to use policies and initiatives as detailed in our Tenant Involvement strategy to improve community relationships and prevent ASB occurring.

Caredig will work in partnership with a diverse range of partners at both strategic and operational levels to prevent and resolve ASB.

These include:

- Allocation policies & Pre-Tenancy work
- Designing out ASB in new developments

## DRAFT NOVEMBER 2023

- Attending partner meetings such as Police led safer communities meetings
- Transparent services complaint policy
- Clear clauses in the contracts
- Community days with partners such as the Dogs Trust
- Community clean up days
- Improving the physical environments of our communities

### Caredig Intervention & Enforcement

When a complaint is received, we will adopt an early intervention approach and respond quickly to resolve problems at the earliest possible stage using non-enforcement remedies.

Enforcement action will only be taken if Caredig is satisfied that the evidence gathered can demonstrate that an individual or individuals have acted in an anti-social manner in breach of the contract.

When legal action becomes necessary, we will use the most appropriate action available to us. There are a range of legal powers for tackling ASB. Making an application to the County Courts for an Eviction is considered a last resort once all other possible options have been exhausted.

### Our Values

In applying this policy/strategy, we will be guided by our values. Our values determine how we behave towards our customers, our colleagues, our partners and our work: -

**Kind** - We recognise that relationships are at the heart of everything we do, at the heart of good relationships is kindness

**Innovative** - we continuously strive to be the best we can whilst seeking creative ideas to improve and grow

**Trusting** - We trust people to do the right thing, because good relationships are built on mutual trust and respect

**Accountable** - we accept the responsibilities of our role and are accountable for our actions and for doing what is right.

### Resident Engagement

The Policy review has been undertaken due to a change in Housing Law with the implementation of the Renting Homes (Wales) Act 2016 which came into effect on the 01<sup>st</sup> December 2022.

The policy has undergone consultation with staff and tenants via the Caredig Circle and website promotion.

## **DRAFT NOVEMBER 2023**

### **What is covered by the policy/strategy?**

This policy is informed by the following legislation and regulation;

- Anti-Social Behaviour Act 2003
- Crime and Policing Act 2014
- Renting Homes (Wales) Act 2016

### **Roles and Responsibilities**

Community Housing Officers, Service Coordinators, Team Leaders and Extra Care Managers are responsible for the case management of all anti-social behaviour reports. The Operational Managers for Housing Management, Supported Living and Extra Care are responsible for the overall performance management.

### **Equal Opportunities**

An Equality Impact Assessment has been completed.

### **References to other relevant policies and Procedures**

- Allocations
- Possession & Eviction
- Ending Contracts
- Tenant Involvement Strategy
- Dangerous & Challenging Tenants
- Persistent, unreasonable and unacceptable behaviour
- Pet Policy
- CCTV
- Hate & Mate Crime
- Lone working
- Safeguarding
- Temporary Exclusion (Supported Living only)

# **Anti-Social Behaviour & Community Safety Procedure**

**Lead Officer: Emma Morgan, Head of Housing & Support**

**Last Review: 2018**

**Next Review: 2026**

Procedure Owner	Emma Morgan, Head of Housing & Support
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## DRAFT NOVEMBER 2023

### ASB & Community Safety Procedure

Link to all prescribed forms [Renting homes: forms for landlords | GOV.WALES](#)

Link to the Ceredig Anti-Social Behaviour (ASB) toolkit [ASB Toolkit](#)

1.	<p><b>Receiving a report from a complainant - Not noise related</b></p> <p>We receive reports of ASB in a variety of ways and any frontline member of staff may receive the initial report:</p> <ul style="list-style-type: none"><li>• By phone.</li><li>• In person.</li><li>• In writing: by letter, email or online report.</li><li>• Through a third party: friend, support service, Police, MP, Councillor etc</li></ul> <p>Upon receipt of the report of ASB, the complainant will be advised that the allocated officer will be in contact to discuss the details of the report within 5 working days.</p> <p>Urgent cases such as allegations of threat of harm will be escalated immediately to the relevant persons and their operational manager.</p> <p>At first point of contact, the key information required to log the complaint is as follows:</p> <ul style="list-style-type: none"><li>• What happened</li><li>• Who was involved</li><li>• Has it happened before?</li><li>• Are there any witnesses or evidence?</li><li>• Who is the person being reported - where do they live?</li><li>• Has the complainant reported the matter to the police?</li><li>• Confirm phone and email contact details</li></ul> <p>The case will be logged onto the Housing Management system <b>Appendix 1. Contact Management - Logging an ASB video.</b> The Housing Management system will notify the allocated officer via Email.</p> <p>ASB Complaints in Supported Living should be directed to the Team Leaders of the scheme and documented within the support notes.</p> <p>As per the policy, reports received may not fall under the category of ASB and therefore, as a landlord, we will not intervene. The first point of contact is to offer the most appropriate advice and close the case with no further actions to be taken.</p> <p>If the alleged perpetrator is a tenant of another Community Landlord, Private Landlord or a Homeowner, attempts will be made to contact the other landlord</p>
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## DRAFT NOVEMBER 2023

	<p>or the Local Authority to support the tenant with resolving the ASB</p> <p>Where the alleged perpetrator is unknown, the team will support the complainant with liaising with police and other agencies to try and identify the person responsible and support referrals will be offered.</p>
1.1	<p><b>Receiving a report from a complainant - Noise related</b></p> <p>We receive reports of noise related ASB in a variety of ways and any frontline member of staff may receive the initial report:</p> <ul style="list-style-type: none"><li>• By phone.</li><li>• In person.</li><li>• In writing: by letter, email or online report.</li><li>• Through a third party: friend, support service, Police, MP, Councillor etc</li></ul> <p>Upon receipt of a noise related ASB report, the complainant will be advised a pack will be posted out containing the following information:</p> <ul style="list-style-type: none"><li>• <b>Appendix 2 ASB Leaflet</b></li><li>• <b>Appendix 3 Nuisance log</b></li><li>• <b>Appendix 4 Cover letter</b></li><li>• <b>Appendix 5 Noise App info</b></li><li>• <b>Self-addressed envelope</b></li></ul> <p>The complainant will be advised that they need to capture evidence by way of log or Noise App or both for a period of 2 weeks. After the 2-week period has passed, the allocated officer will contact to discuss.</p> <p>At first point of contact, the key information required to log the complaint is as follows:</p> <ul style="list-style-type: none"><li>• What happened</li><li>• Who was involved</li><li>• Has it happened before?</li><li>• Are there any witnesses or evidence?</li><li>• Who is the person being reported - where do they live?</li><li>• Has the complainant reported the matter to the police?</li><li>• Confirm phone and email contact details</li></ul> <p>The case will be logged onto the Housing Management system <b>Appendix 1. Contact Management - Logging an ASB video.</b> The Housing Management system will notify the allocated officer via Email.</p> <p>ASB Complaints, including noise nuisance reports in Supported Living should be directed to the Team Leaders of the scheme and documented within the support notes and to decide if it is appropriate to direct the tenant to the Noise App before first investigating concerns.</p> <p>As per the policy, reports received may not fall under the category of noise</p>

## DRAFT NOVEMBER 2023

	<p>related ASB and therefore, as a landlord, we will not intervene. The first point of contact is to offer the most appropriate advice and close the case with no further actions to be taken.</p> <p>If the alleged perpetrator is a tenant of another Community Landlord, Private Landlord or a Homeowner, attempts will be made to contact the other landlord or the Local Authority to support the tenant with resolving the ASB.</p> <p>Where the alleged perpetrator is unknown, the team will support the complainant with liaising with police and other agencies to try and identify the person responsible and support referrals will be offered.</p>
2.	<p><b>Communication points &amp; Managing expectations</b></p> <p><b>Allocated Officer contact with complainant</b></p> <p>The allocated officer will contact the complainant to discuss the details of the complaint within:</p> <ul style="list-style-type: none"><li>• 1 working day (urgent cases only)</li><li>• 5 working days non noise related reports</li><li>• 10 working days noise related reports</li></ul> <p>The complainant will be offered a home visit or a discussion via telephone. All checks as per the lone working policy are to be adhered to prior to any home visit.</p> <p>The conversation will consist of the following:</p> <ul style="list-style-type: none"><li>• Establish the exact details, facts of the ASB</li><li>• Assess the harm and impact that the ASB has on the person reporting</li><li>• Identify any support needs and arrange a referral</li><li>• Asking the complainant what is their expected outcome. Manage the expectations of the complainant by explaining our procedures</li><li>• Agree next steps and any actions to be taken by either Caredig and/or complainant If deemed necessary, obtain permission from the complainant to contact the person they are reporting or other agency</li><li>• Establish if the complainant is prepared to be a witness, if necessary</li><li>• Agree the frequency for maintaining contact throughout the course of the investigation</li></ul> <p>Agreed frequency of contact throughout the course of the investigation is to be strictly adhered to and documented as per 3. Evidence Gathering &amp; Case File Management</p> <p>We may encourage the complainant to discuss the complaint with the person they allege is responsible for the nuisance, prior to our involvement - but only if it is safe to do so. Sometimes, people are unaware they are causing a nuisance especially when the problem relates to noise and so, a neighbour may just need reminding that the behaviour is upsetting.</p> <p>As per the policy, reports received may not fall under the category of ASB and therefore, as a landlord, we will not intervene. The allocated officer is to offer</p>

## DRAFT NOVEMBER 2023

	<p>the most appropriate advice and close the case with no further actions to be taken.</p> <p><b>Allocated Officer contact with person being reported</b></p> <p>Once the Allocated Officer has completed the initial investigations establishing as much facts as possible, contact will be made with the person who is alleged to be the cause of the ASB.</p> <p>The initial contact will be by phone, email or letter as appropriate and a home visit appointment made. In Supported Living, the preference would be to visit in person first.</p> <p>If the report is concerning a member of their household or visitor, the person interviewed will be the tenants of the property, who will be reminded that they are responsible for the behaviour of other members of their household or visitors.</p> <p>The conversation will consist of the following:</p> <ul style="list-style-type: none"><li>• Presenting the established facts of the ASB and all related concerns</li><li>• Allowing space for the person to respond</li><li>• Identify any support needs and arrange appropriate referrals</li><li>• Managing expectations of the outcome of the investigation and if appropriate, the consequences of continued breaches of the contract</li></ul> <p>Agreed frequency of contact throughout the course of the investigation is to be strictly adhered to and documented as per <b>3. Evidence Gathering &amp; Case File Management</b></p> <p>All checks as per the lone working policy are to be adhered to prior to any home visit.</p>
3.	<p><b>Evidence gathering &amp; Case File Management</b></p> <p>There are a number of different ways to gather evidence depending on the details of the case. <b>Appendix 6 ASB Toolkit Checklist &amp; Risk Assessment</b> provides a guide and toolbox for all available options.</p> <p>The Allocated Officer should aim to collect the widest variety of evidence for the case which:</p> <ul style="list-style-type: none"><li>• Is appropriate and relevant</li><li>• Is cost-effective</li><li>• Respects confidentiality</li></ul> <p><b>Appendix 7 Contact Management Case File Management</b> details the correct method of recording and documenting all actions undertaken throughout the investigation.</p> <p>Cases in Supported Living are to be documented in the Support records, cross referencing with relevant policies and ensuring relevant notifications are made</p>

## DRAFT NOVEMBER 2023

	when required.
4.	<p><b>Working with support &amp; partners</b></p> <p>Multi-agency partnership working will be encouraged as it can often increase the success in resolving the behavioural issues through providing individual support using the different agencies expertise and resources, and sharing information, ensuring GDPR guidelines are adhered to.</p> <p>We will assist all parties involved to access support as required, the offer of support remains open, even if initially declined.</p> <p>Where a case conference or multi-agency meeting is held, this will be recorded on the ASB case as an activity within five working days of the meeting taking place.</p> <p>In relation to the Community Trigger and the Community Remedy, local protocols will be followed, and timescales adhered to and the allocated officer will make representations at relevant meetings.</p>
5.	<p><b>Caredig Intervention &amp; Enforcement</b></p> <p>When considering what action to take to tackle the ASB the allocated officer must consider what is reasonable and appropriate and consider all other agencies resources and action.</p> <p><b>Appendix 6 ASB Toolkit Checklist &amp; Risk Assessment</b> provides a guide for all non-legal interventions available to the Allocated Officer</p> <p>Where non-legal action is unsuccessful in resolving the problem, legal action will be considered where;</p> <ul style="list-style-type: none"> <li>• There is a threat to the safety of victims and witnesses or members of staff or our contractors.</li> <li>• Harassment is sufficiently serious, frequent or prolonged.</li> <li>• Previous interventions have not put a stop to the ASB.</li> <li>• The effect of the behaviour on the victim outweighs the effect of legal action on the perpetrator.</li> <li>• The perpetrator has failed to engage with support.</li> <li>• The criminal justice system may not bring either a speedy enough or appropriate resolution.</li> </ul> <p>When the Allocated Officer determines that legal action is necessary. <b>Appendix 6 ASB Toolkit Checklist &amp; Risk Assessment</b> should be completed prior to service of the appropriate notice to ensure all non-legal remedies have been considered and exhausted. Approval should be sought from the Operational Manager to proceed with legal action and decision made as to the legal action to be taken in line with proportionality i.e. Injunction, Demotion of contract for Secure CH's to a Prohibited Conduct Standard Contract or</p>

## DRAFT NOVEMBER 2023

	<p>Possession (Suspended or Outright). Advice should be sought from legal representatives.</p> <p>Where sufficient evidence is provided, action can be taken against one CH, however, the burden of proof lies with joint CH's to provide evidence, without this, action will be taken against all CH's.</p> <p>All legal action to be completed in line with Ending Contracts Policy, Possession &amp; Evictions Policy and the Temporary Exclusion Policy (Supported Living only)</p>
<p>6.</p>	<p><b>Closing the case</b></p> <p>A case can be closed in the following circumstances:</p> <ul style="list-style-type: none"> <li>• In agreement with the complainant, victim or witness;</li> <li>• Where there have been no further incidents for two months;</li> <li>• Where the victim or witness has failed to respond / not co-operated/engaged</li> <li>• All reasonable action has been taken to resolve the matter;</li> <li>• There is no evidence to support the allegations.</li> <li>• Not deemed as ASB</li> </ul> <p>When a case is closed, a written response (email or letter) will be sent to the complainant and person being reported summarising all the actions taken as part of the investigation and the reasons for the outcome.</p> <p>Before closing, the Allocated Officer should refer to <b>Appendix 6 ASB Toolkit Checklist &amp; Risk Assessment</b> to ensure all possible appropriate actions have been taken.</p> <p>Example outcome letters by ASB area can be found in the ASB toolkit.</p>
<p>7.</p>	<p><b>Quality assurance &amp; Customer satisfaction</b></p> <p>As part of Caredig's commitment to continuous improvement, the following will be completed by the Operational Managers:</p> <ul style="list-style-type: none"> <li>• Effective Supervision -The Operational Manager will meet with each team regularly to check open cases. The purpose of the meeting is to provide advice, support and share learning.</li> <li>• Customer Satisfaction - Caredig is committed to continuously improving and developing the service we provide to tenants and residents. To do this, it is important that we obtain feedback from our customers telling us what they think about the ASB service. Satisfaction Surveys will be sent out at the closure of each case.</li> <li>• Results of the ASB Satisfaction Surveys and services complaints will be reported monthly as part of the team performance monitoring report.</li> <li>• Audit of cases</li> </ul>