



# Anti-Social Behaviour & Community Safety Policy

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

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**Next Review: 2027**

Policy Owner	Emma Morgan, Head of Housing & Support
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Approved by	Stephen Evans, Director for Customers and Communities

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<b>Changes Made</b>	<b>Section</b>	<b>Date</b>
Whole policy has been redrafted	All	July 2024



## **Introduction**

Caredig believes that everyone has the right to their chosen lifestyle as long as this does not affect the quality of life of others or breach the terms and conditions of their Occupation Contract. This requires tolerance, acceptance and respect towards the needs and choices of other people. As such, 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.

However, we also recognise the devastating affect anti-social behaviour (ASB) can have if not properly addressed, impacting on the quality of life for those affected and the wider community. We are therefore committed to preventing and tackling ASB effectively and promoting community safety at the earliest opportunity.

## **Aims**

The aim of this policy is to ensure that Caredig provides a consistent approach in responding to and reducing the incidence of ASB, whilst providing support and advice to complainants and people who have caused ASB at all stages.

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 will provide clear guidance on when and how Caredig can and cannot intervene to ensure everyone is treated in a fair, consistent and unbiased manner, which takes account of their needs, particularly in relation to when we respond, investigate, or take enforcement action during the management of ASB complaints.

## **Definitions**

- For the purpose of this policy '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' or 'ASB' is a broad term for describing different types of behaviour but for the purpose of this policy we mean behaviour that relates to:

*'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 but if this is the case we will ensure we make this clear and explain why if we are unable to intervene.

The following are examples of incidents that that we generally would not consider to be ASB. This is not intended to be a comprehensive list and we will always consider each case on its own merits:

- Flushing toilets
- DIY at reasonable hours
- Cooking smells
- People walking around within their own home
- People smoking in their own 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 complainants and witnesses feel supported when they report ASB, by offering day to day support right through to helping them attend court in the rare occasions this is necessary. We will therefore always 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.

Caredig believes complainants play a key part in the successful management of ASB as we are reliant on information from people reporting ASB in order to be able to act. Therefore, we expect complainants to co-operate with reasonable requests to assist (such as agreeing to taking personal actions, keeping appointments, keeping records of incidents, taking part in mediation, reporting incidents to the Police etc). 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 it is appropriate to do so. We will inform people if and when a decision to close a case is made.

We also understand that some people may want to remain anonymous, even though we will always ensure we treat personal details with the utmost care and confidentiality. We will do our best to protect people's identity but in some cases this is not possible, for example if the incident is between two specific neighbours. Although we will take steps to avoid disclosing personal details, we will advise people who have made a complaint if this is deemed to be a risk. It is important to note that we may not be able to pursue your anonymous complaints if we are unable to substantiate the concerns raised.

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

We recognise that ASB is often a symptom of an underlying issue so in order to find a long-term solution and reduce the risk of reoccurrence, Caredig aims 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 will use policies and initiatives as detailed in our Tenant Involvement strategy to improve community relationships and, where possible reduce the likelihood of 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 information and support
- Designing out ASB in new developments and making physical alterations to existing buildings where possible
- Attending partner meetings such as Police led Safer Communities' meetings
- Transparent service Complaints policy
- Clear clauses in the Occupation 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, 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 reflects 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.

## **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 and as a result, we will ensure we take account of individual circumstances both in term of how we communicate and manage cases e.g. considering the impact of neurodiversity in relation to noise reports.

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

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