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**PURPOSE**

**Adullam Homes Housing Association (AHHA)** policy is to ensure that the areas where our tenants inhabit and call home are secure and peaceful places to live.

We believe that everyone has the right to peaceful enjoyment of their home, free from disturbance and intimidation. As such AHHA will not tolerate **Antisocial Behaviour (ASB)** or Hate crime and will do everything we reasonably can to tackle it, whether the problems are caused by one of our tenants, their visitors or someone else.

**1 POLICY STATEMENT**

- 1 AHHA is a specialist housing provider supporting vulnerable individuals, including those with mental health needs, people leaving prison, asylum seekers, survivors of domestic abuse, and those experiencing or at risk of homelessness. We understand many of our customers face challenging life circumstances, and we are committed to helping them achieve stability through safe housing and appropriate support.
- 1 ASB can have a serious and lasting impact on individuals and communities. AHHA addresses ASB in a fair, proportionate, and effective way to help ensure our homes remain safe, respectful, and inclusive places to live.
- 1 Our approach to ASB case management is consistent across all neighbourhoods, whilst also shaped by a specialist local focus that reflects the diverse needs of the people we support. In managing cases, staff are supported to exercise professional judgment in responding to the specific circumstances of each situation, while always ensuring compliance with our policies, procedures, and legal obligations.
- 1 We are dedicated to creating safe, respectful, and inclusive environments, working closely with other agencies to prevent, reduce, and respond to ASB, while providing the right support to everyone involved. Given the variety of projects we manage, each offering support tailored to our customers' needs, our partnership working and information sharing arrangements can differ. Our flexible approach allows us to adapt our interventions and partnership arrangements across our housing stock, ensuring that our responses are both appropriate and effective.
- 1 We take all reports of ASB seriously and aim to respond in a fair, consistent, and balanced way. While we seek to understand the context and root causes of behaviour, and to offer support where appropriate, we do not tolerate behaviour that causes persistent nuisance and annoyance, disrupting others' ability to enjoy their home or community.

**2 STRATEGIC ALIGNMENT**

- 2 This policy supports AHHA's mission to provide safe, well-managed, and affordable homes. Tackling ASB effectively contributes to key objectives outlined in our **ASB Strategy as well as Business and Service Plan**. This includes improving tenant satisfaction, ensuring safe neighbourhoods, and delivering services that meet regulatory expectations.

**3 POLICY SCOPE**

- 3 This policy sets out our approach to preventing, managing and responding to ASB across all the properties and schemes that we own and/or manage. It has been developed to meet our legal obligations under Part 2, Section 12 of the ASB Act 2003, which requires housing providers to have clear policies and procedures in place to tackle ASB effectively.
- 3 It applies to all our customers, including (but not limited to) those living in:
  - a) General needs accommodation
  - b) Supported housing
  - c) Properties occupied under licence agreements (nightly, protected and excluded)
- 3 The policy also extends to individuals who are not our **Tenants, Residents, and Service Users (TRS)** but whose behaviour negatively impacts our housing management function. For example, behaviour that affects the safety, wellbeing, or peace of our TRS, or disrupts the ability of our staff and contractors to deliver services effectively.
- 3 There may also be occasions where the victim of ASB is a member of our staff or a contractor. In such cases, we will consider the matter on a case-by-case basis and may take action in line with this policy and procedure. Where staff report ASB incidents they should also refer **to our Incident, Accident and Near Miss Procedure**.
- 3 All employees are expected to familiarise themselves with this policy and adhere to it as part of their role in supporting safe and respectful communities.

**4 ASSOCIATED FRAMEWORKS**

4 This policy has been drafted with reference to, but not limited to, the following:

Legislation	External Regulations/ Documents/Guidance	Internal Policies/Strategies/Guidance
ASB Crime and Policing Act 2014 Housing Act 1988, 1996 & 2004 ASB Act 2003 Crime and Disorder Act 1998 Equality Act 2010 Social Housing (Regulation) Act 2023 Data Protection Act 2018	Home Office ASB Principles Neighbourhood and Community Standard Tenant Satisfaction Measures ASB Statutory Guidance for Frontline Professionals Regulator of Social Housing – Consumer Tenancy Standard Information Commissioner’s Office - CCTV and video surveillance and Home CCTV systems	ASB procedures ASB Strategy Domestic Abuse Hate Crime & Incidents Policy Guidance Of Prevention Of Bullying And Harassment Jan 2025 Harassment Policy & Procedure Incident, Accident and Near Miss Procedure Safeguarding Policy and Procedures Good Neighbourhood Management Policy Modern Slavery and Human Trafficking Policy Statement Vexatious Complainants Policy Allocations & Lettings Policy Tenancy Management & License Policy Tenancy/Licence Agreements

## **5 POLICY PRINCIPLES**

5 Our ASB service is underpinned by the following principles:

- a) We are committed to working transparently and fairly with those who report ASB, taking an objective approach to case management, and ensuring that all decisions are made in a consistent, balanced manner.
- b) We strive to make our reporting methods clear, accessible, and easy to use, ensuring that all individuals can report ASB without barriers.
- c) We maintain communication with all parties involved throughout the life of a case, keeping them informed of progress and next steps through use of action plans.
- d) We keep the needs of victims and witnesses at the heart of our case management, and we are committed to responding in a confidential, sensitive, and empathetic manner.

e) We adopt a harm centred approach to ASB, considering the behaviour type and the impact/circumstances of the behaviour. We use this to make key decisions such as whether a report meets our definition of ASB, the category to assign it and the necessary/proportionate action to take to resolve it. f) We identify and understand risk and vulnerability for all parties involved in a case, taking the necessary steps to mitigate this risk where appropriate. g) Where support needs are identified, we will provide, signpost, or refer individuals to relevant services. We recognise that some of our customers may face complex and personal challenges, and we aim to address underlying needs to support positive outcomes, including helping individuals to sustain tenancies where possible.

- h) We work in partnership with relevant agencies and organisations to address ASB, recognising that collaboration is often key to finding effective solutions. Where appropriate, we will share information and resources to support both parties.
- i) We acknowledge that there may be instances where a partner agency is better placed to lead on a case. In such cases, we seek to establish this without unnecessary delay and may continue to support the case when another agency takes the lead.
- j) We seek to empower and involve those reporting ASB to be part of the resolution process where appropriate. For example, asking them to participate in mediation.
- k) We consider the full range of informal and legal tools when responding to ASB and use the most proportionate course of action in each case. Whilst our preference is always to resolve issues using informal means, we will consider the most proportionate response in each case.

## **6 WHAT IS ASB?**

### **Our Definition**

6 We are responsible for deciding whether a report meets our threshold to be considered ASB. We adopt a two-stage approach for this decision making:

- a) Does the meet the statutory definition of ASB?
- b) Is the behaviour unreasonable?

6 We use the statutory definition of housing-related ASB that is detailed in Part 1 of the ASB, Crime and Policing Act 2014. That is “Conduct capable of causing housing-related nuisance or annoyance to any person”.

6 We recognise that this threshold can be low, and that different people have different tolerances, expectations and perceptions in relation to whether behaviour is appropriate or

not. Owing to this, we also apply the reasonableness test in our decision-making process and consider the following:

- a) Type of behaviour
- b) Intention
- c) Root cause of the behaviour
- d) The frequency, time and duration

## **7 BEHAVIOUR THAT IS NOT NORMALLY CONSIDERED ASB**

- 7 Due to our definition and approach, it is not possible to provide an exhaustive list of what does or does not constitute ASB. However, some types of behaviour, such as parking disputes, everyday living noise (e.g., talking, children playing), one-off parties, and neighbour disputes, are generally not considered ASB.
- 7 We define a neighbour dispute as a situation where 2 or more parties, living in close proximity to each other, are engaged in a disagreement with each other. Often there is no clear victim and harmer, and the behaviour that is being caused by parties may not meet our definition of ASB.
- 7 In these situations, we are unlikely to consider the matter to be ASB and, therefore, will not follow our ASB policy and procedure and refer to **Good Neighbourhood Management (GNM)** policy.
- 7 **Appendix A** details some typical examples of the behaviours that would ordinarily be managed under each of these policies. These lists are not exhaustive, and the reasonableness test will be applied in each case.

## **8 HATE CRIME & INCIDENTS**

- 8 Hate crimes/incidents are serious and must be prioritised in our response to ASB. We consequently have a separate Hate Crime and Incident Policy, which should be read alongside this policy when responding to reports of hate-related ASB. Our officers are trained to identify such incidents and ensure they are taken seriously, assessed promptly, and handled with sensitivity and care.

## **9. DOMESTIC ABUSE**

- 9 Sometimes when ASB is reported, the noise may relate to domestic abuse. Domestic abuse is a high-risk issue and must be treated as a priority when identified within ASB reports. In these circumstances, officers should refer to our Domestic Abuse Policy, which sets out how we will work with partner agencies and internal teams in such matters. Officers are trained to recognise these circumstances.
- 9 There may be times when an ASB tool such as an injunction may be the most suitable tool in a domestic abuse matter, however, this requires careful consideration and often requires a partnership approach.

## **10. HARASSMENT**

- 1 We define harassment as unwanted behaviour that occurs more than once, with the intent to cause alarm or distress. The behaviour does not need to be identical on each occasion and can

include, but not limited to, threatening or abusive comments or actions, damage to property, or any form of correspondence, such as texts, voicemails, letters, or emails.

- 1 Each ASB incident a victim experiences may not constitute a criminal offence individually. However, due to the repetitive nature of the behaviour, multiple incidents could collectively amount to harassment.
- 1 We recognise the debilitating impact of repeat victimisation and complete regular reviews of victim risk assessments throughout the life of a case. This ensures we fully understand the ongoing risks and take appropriate actions to reduce harm, whilst providing victims with the support they need.
- 1 In instances where harassment involves hate incidents, our Hate Crime and Incidents Policy will be referred to alongside this policy to ensure that all aspects of hate-motivated behaviour are appropriately addressed.

## **11. REMITTS**

### **Scope of Case Management**

- 1 We can open and manage ASB cases that are ‘housing-related’. The officer responsible for managing ASB cases is determined by the type of accommodation and tenancy involved. This is detailed below: -
  - a) Where reports of ASB relate to individuals residing in our general needs housing, the case will be managed by the Housing Officer / Housing Co-ordinator responsible for that geographical area.
  - b) Where reports of ASB involve TRS of our hostels, supported housing, or other managed schemes, the case will be managed by Housing / Sustainment Officer.
  - c) Where an ASB case involves multiple tenures (e.g. a general needs tenant and a TRS in supported housing), the teams should determine the most appropriate lead officer for the case in hand.

## **12. CASES INVOLVING YOUNG PEOPLE IN OUR SUPPORTED ACCOMMODATION**

- 1 Where a young person, responsible for ASB is residing in our supported accommodation our Children’s Services Team will be responsible for submitting a Regulation 27 notification where the criteria for notification are met, in accordance with statutory guidance.

## **13. CROSS-TENURE CASES**

- 1 We can take action against a non-customer where their behaviour is affecting our TRS, wider communities or staff/contractors. We call these ‘cross-tenure’ cases.
- 1 In cross-tenure cases, where our customer’s behaviour is impacting on non-customers, e.g., private residents or owner-occupiers, staff are encouraged to engage with those affected to ensure the case is managed robustly and effectively.
- 1 We recognise, that there will be times where we are not the best lead agency in a cross-tenure case. For example, where the person alleged to be causing the harm is a tenant of another social or private landlord, or where the person is known to the Police and/or Local Authority who are already managing a case relating to them.

- 1 There will also be cases where another agency has the most suitable tool to resolve the case. Where we identify this to be the case, we will speak to the identified agency and agree an appropriate action plan.
- 1 We make efforts to promptly identify and notify other agencies that need to be made aware of a report. We endeavour to work with them to agree a lead, and, where appropriate, support their casework as part of a partnership response.

#### **14. CASES RELATING TO CRIMINAL OFFENCES AND/OR STATUTORY NUISANCE**

- 14.1 Where a report constitutes a possible criminal offence, we will encourage the reporter to make the Police aware. Where the Police are investigating a criminal matter, we will work with them to determine whether it is appropriate for us to take parallel investigations, or whether it is more appropriate to await the outcome of their investigations first.
- 14.2 Where we receive ASB reports related to potential statutory nuisances, such as noise, light pollution, or fly tipping, we encourage reporters to also notify the relevant Local Authority Environmental Health team to determine if the reported issue meets the criteria for a statutory nuisance under the Environmental Protection Act 1990.
- 14.3 Where ASB related noise is reported to Environmental Health, it does not preclude us from taking parallel investigations and taking action where appropriate. This will be considered on a case-by-case basis.

#### **15. ROLES AND RESPONSIBILITIES**

##### **TRs Responsibilities**

- 1 We want all communities to thrive. This requires cooperation, compromise, and empathy from everyone. We ask our customers to be respectful, listen to concerns, try to find compromise and work together to find solutions.
- 1 Our TRs have legal obligations within their tenancy or licence agreements. Whilst the exact wording of these obligations will depend on their own agreements, there will be conditions relating to behaviour, including ASB and criminal activity.
- 1 Our TRs are responsible for their own behaviour, that of any household members (including children and pets) and any visitors to their property, at the address and within the locality of the address. There are occasions when the behaviour can occur outside of the locality of the address and still be considered 'housing related', for example where behaviour is directed to an employee or a neighbour.

##### **Corporate Responsibilities**

- 1 The Board is responsible for ensuring this policy supports compliance with our legal and regulatory duties and is implemented effectively. It is also committed to driving continuous service improvement, ensuring services remain relevant, high quality, and offer value for money to residents and stakeholders.
- 1 The Head of Housing is responsible for reviewing, updating and amending this policy and associated procedures to reflect required changes, appearing internally and externally. This

includes training on the procedures and striving to provide all staff with appropriate training working with managers.

- 1 Managers are responsible for ensuring that employees understand and adhere to this policy and its related procedures, promoting a consistent and compliant approach to ASB case management across the organisation. Adherence is monitored through ongoing review activities, including those outlined in section 24 (Performance) of this policy.
- 1 Officers are responsible for familiarising themselves with this policy and its expectations, managing cases in line with its requirements, and raising any concerns or uncertainties with their manager where appropriate. Managers also have a responsibility to support officers in understanding and applying the policy in practice, including through supervision and access to appropriate training or guidance.
- 1 The policy will be rolled out to staff via a series of ASB Toolbox Talks.

## 16. RECEIVING REPORTS

### How To Report ASB

16.1 We work to eliminate barriers to reporting ASB by ensuring there is accessibility to all including individuals, including those with disabilities or where English is not their first language etc. This may involve offering information in multiple languages, providing translation services and creating safe reporting environments that respect confidentiality.

16.2 We accept reports of ASB in the following ways:

<b>Phone:</b>	0121 271 0789 Between 9am to 5pm or ASB Respect Line 0800 075 6699.5pm to 9am)
<b>e-mail:</b>	<a href="mailto:customerinfo@adullam.org.uk">customerinfo@adullam.org.uk</a>
<b>Online:</b>	<a href="https://www.adullam.org.uk/contact-us">https://www.adullam.org.uk/contact-us</a>
<b>In person:</b>	At any of our offices open to the public ( <b>see Appendix B</b> )
<b>By Post:</b>	Walter Moore House, 34 Dudley Street, West Bromwich, West Midlands B70 9LS

16.3 Information about the option to involve an advocate, friend, or family member during the reporting process. While we do not provide advocacy services directly, we can signpost to appropriate organisations where needed. The choice of support remains with the individual reporting the incident.

16.4 We will accept reports from 3rd parties, such as elected members or support workers, however in most instances we will need to speak directly to the person experiencing/witnessing the behaviour in order to progress our investigations.

16.5 We can be limited in our responses where we receive anonymous reports. We will consider the severity of the behaviour detailed, the reasons why the reporter may wish to be anonymous and whether there are any sources of potential further information, when deciding whether we can take action in an anonymous report.

**17. CONFIDENTIALITY**

- 1 In instances where confidentiality is requested, we will take every precaution to protect the reporter’s identity. However, in order to progress the matter, we will need to discuss the details of the report with the person alleged to be causing the harm, and sometimes the very nature of the report may make it clear who the reporter is. We will explain the options available to the reporter, including how we can support and protect them throughout the process.
- 1 Where anonymous ASB reports are received, it can be difficult for us to carry out a full investigation, as we may not have all the information needed. However, we will assess these reports, considering the severity of the behaviour, whether there is a clear reason for the anonymity, and whether there are any opportunities for investigating the matter further that do not require knowledge of who the reporter is.
- 1 There are times where our legal obligations mean that we are unable to promise confidentiality. For example, if a person tells us something that is a criminal offence or we believe there is a safeguarding risk. We will seek consent to share information where appropriate to do so but may be legally required to share it without.

**18. ASSESSING AND TRIAGING REPORTS**

- 1 When we receive a report, we will work to quickly determine whether it meets our definition of ASB. We seek to ensure this is an informed decision and may, therefore, need to conduct some investigations before making this determination.
- 1 We also categorise reports based on risk and harm:

Category	Types of behaviour	Response Time
<b>High-risk</b>	Violence, threats of violence, domestic abuse, hate crime or situations where harm to the victim’s health and wellbeing is high	1 working day
<b>Standard</b>	All other behaviours which do not fit into the high-risk category	5 working days

- 1 The response time relates to the period between the officer managing the case receiving the report and their attempts to make contact with the reporter to arrange an interview to discuss the matter further.
- 1 We also assess risk and vulnerability by using a **vulnerability risk assessment matrix (VRA)** which is initially completed following an interview with the reporter. Depending on the outcome of the assessment, actions will be identified and taken to assist in reducing the risk level.
- 1 We recognise that risk can increase/decrease during the course of an ASB case and, therefore, VRA are kept under review during the life of a case and changes in scoring responded to as appropriate.

## **19. SAFEGUARDING**

- 1 We acknowledge that officers may come into contact with both children and adults where there are safeguarding concerns. Our officers are trained to recognise these circumstances and take appropriate action in line with our Safeguarding Policy and Procedures.

## **20. SUPPORT**

### **Support For Reporters**

- 2 In addition, to adopting practices aimed at identifying and responding risk and vulnerability, we will also seek to support those who report ASB.
- 2 In addition to clear and regular communication, we also seek to support those experiencing ASB in other ways. The list below is not exhaustive and gives examples of what we may consider, dependent on the circumstances of each case:
  - a) Referrals to internal support, such as tenancy support services
  - b) Referrals to external support, such as local charities or voluntary organisations
  - c) Referrals to safeguarding or public health teams.
  - d) Offer resilience/conflict coaching
  - e) Signposting customers to accessible sources of information and guidance on ASB, such as Citizens Advice, Local Authority resources, or relevant Government literature.
  - f) Liaising with partners to identify target hardening opportunities.
- 2 Where we take legal action in ASB cases we often require evidence from residents. We understand that this can be a daunting experience and will seek to ensure appropriate support is made available to the witness should they wish to accept it. Sometimes the support available will depend on the area we are working/the Court we are using, but types of support may include:
  - a) Signposting to specialist witness advice and guidance websites etc.
  - b) Arranging pre-court visits to help witnesses familiarise themselves with the setting
  - c) Helping arrange transport
  - d) Arranging a separate entrance to the court and waiting room
  - e) Accompanying the witness around the court building
  - f) Ensuring they have time to speak with our legal representative to seek clarification to any questions or concerns they may have.

### **Support For Those Causing The Harm**

- 2 We understand that those people causing the harm may have needs and vulnerabilities themselves. Whilst we do not consider this to be a justification for causing harm to others, we do recognise that helping to support can benefit all parties, bringing resolution of the ASB for the person suffering and improving the wellbeing of the person causing the harm too.
- 2 Through our case management processes, we seek to identify and understand any support the person causing harm may require, recognising that many of our residents may be living with complex circumstances. This includes:
  - a) Triaging and assessing reports effectively, with a focus of understanding the root cause of the problems, ensuring that we recognise when the person causing the harm may also be a victim (e.g. of exploitation)
  - b) Using internal systems to see whether we hold information which assists us in understanding needs.
  - c) Working with our partners to seek out and share information about needs.

- d) Discussing matters with the perpetrator and enquiring about support needs.
- 2 Where support needs are identified we will determine appropriate responses which may include:
  - a) Referrals to internal support, such as tenancy support
  - b) Supporting community led diversionary projects e.g., resident action groups
  - c) Referrals to external support, such as local charities/voluntary organisations including drug and alcohol support providers.
  - d) Referrals to safeguarding or public health teams.
- 2 Our support service provision varies across the different housing projects we operate. However, where we are unable to provide support in-house, we will always endeavour to work with partner agencies to help individuals access support tailored to their needs, wherever possible.
- 2 We adopt a twin-track approach in most cases, where we will offer support whilst also taking the appropriate action to try and prevent further ASB, recognising that we also have to balance the needs of the person/s suffering the harm being caused and not prolonging this harm unreasonably. For this reason, where we recognise the need for support, but it is not available or accepted, we may continue to take action to deal with the ASB. Equally, if the support is accepted but we believe the person is not fully engaging or disguised compliance is occurring, we may continue to take action appropriate to reduce the harm to those suffering.
- 2 We understand our duties under the Equality Act and will:
  - a) Seek to understand whether the perpetrator has a disability as defined by this legislation and whether the disability is causing the ASB exhibited. Where we believe it is, we will assess whether intended action is a proportionate means to a legitimate aim before making a decision to proceed.
  - b) Ensure that we have complied with our obligations in relation to the public sector equality duty. Before making a decision to take legal action we will complete an equality act assessment to evidence this compliance.
- 2 In all cases where we are considering legal action, we will complete a proportionality assessment to ensure that our decision is necessary and proportionate.

## **21. TOOLS AND POWERS**

### **General Principles**

- 2 Where we have the necessary evidence to determine that the ASB reported has occurred we will next consider what action is most appropriate to take to reduce the harm being caused. We do not adopt an incremental approach where we have to take the lowest form of action first. We will consider many factors, such as severity, risk, frequency, needs etc, to determine what action is most proportionate. We aim to take the lowest form of action that we believe has a genuine chance of achieving the outcomes that we are seeking in a case.
- 2 We are committed to achieving the best outcome for our customers by responding promptly and effectively. In the majority of cases, non-legal interventions will be the most proportionate. Save for the most serious forms of ASB, we will attempt to resolve matters through practical solutions, warnings and voluntary agreements before resorting to more formal approaches.

- 2 Where legal action is necessary and proportionate; we will work with our solicitors to ensure formal proceedings are progressed effectively. While our focus remains firmly on achieving the best outcomes for those affected, we are also mindful of the need to deliver value for money by using legal services efficiently and appropriately.
- 2 We rely on evidence to be able to take action and often we will need those experiencing the ASB to provide this evidence. Evidence may include completed diary sheets, CCTV or video doorbell recordings, use of noise recording applications (APPs), reports to agencies or signing a witness statement. Where we are unable to obtain this evidence, it is unlikely that we will be able to take action.

### Prevention

- 2 We seek to ensure that ASB does not occur in the first place. We do this in a range of ways which include but are not limited to:
  - a) Operating a sensitive lettings policy
  - b) Making customers aware of responsibilities at sign-up
  - c) Operating an introductory tenancy regime
  - d) Making advice and guidance available to customers and residents
  - e) Working with partners to host community events, take part in walkabouts etc.
  - f) Customer involvement in events such as walkabouts, litter picking etc
  - g) Looking at environmental improvements, such as better lighting etc.

### Self-Help

- 2 We seek to empower those reporting harm to be part of the solution, believing that this often results in the best outcomes for all involved. Sometimes the involvement of an agency can exacerbate a situation that could have been amicably resolved between the parties. Where we believe it is appropriate to do so, we may ask parties to:
  - a) Speak to the person causing them concern first to try and find a solution.
  - b) Consider a reasonable change in behaviour/routine to improve the problem.
  - c) Consider resilience/conflict coaching where appropriate
  - d) Engage in mediation with an independent provider.
- 2 Where a party refuses to cooperate with our suggestions, without good reason, we may not be able to take any further action.

### Non-Legal Actions

- 2 There are a range of informal methods that we use to resolve harm in ASB cases. These include, but are not limited to:
  - a) Words of advice
  - b) Verbal and written warnings
  - c) Meetings
  - d) Acceptable Behaviour Contracts (**ABC**)
  - e) Alternative accommodation (as per our Allocations and Lettings Policy)

### Legal Actions

- 2 Where we believe it is necessary and proportionate, and we have the necessary evidence to support the action, we may consider legal action in an ASB case.

**Tenancy Action**

2 Where a breach of tenancy has occurred, we may take legal action. AHHA will only take possession action where other actions have been unsuccessful or where the behaviour and harm caused is so serious that no other action is deemed appropriate or proportionate. The action we may take is detailed in the table below: -

Tenancy Type	Legal Actions Available
<b>Introductory Tenancies:</b>	For introductory tenancies we have the option to extend the introductory period or to seek to end the tenancy.
<b>Assured Tenancies</b>	<p>Seek an outright possession order on the relevant discretionary and/or mandatory ground or obtain a Suspended Possession Order (SPO). We may also seek to vary an existing SPO (e.g. for rent arrears) to include ASB.</p> <p>Seek mandatory ground for possession where one of the following conditions are met and it is deemed proportionate:</p> <ul style="list-style-type: none"> <li>• Tenant or household member or visitor has been convicted of an offence detailed in schedule 2(a) Housing Act 1985*</li> <li>• Tenant or household member or visitor has been found guilty of breaching a Part 1 Injunction*</li> <li>• Tenant or household member or visitor has been found guilty of breaching a Criminal Behaviour Order (CBO)*</li> <li>• There has been a breach of an Environmental Protection Act power e.g. Noise Abatement Notice</li> <li>• Closure Order granted on the property</li> </ul> <p>*Either at the property or in the locality OR outside the locality but the victim of the breach is someone connected to the property.</p>
<b>Excluded Licence:</b>	<p>Individuals residing in our accommodation under an excluded licence do not have the same protections as other types of tenancy. We reserve the right to terminate excluded licences without a court order, provided that reasonable notice is given.</p> <p>We may end an excluded licence where the persons behaviour presents a risk to the safety or well-being of others or the wider community, and or where behaviour is serious and or persistent.</p> <p>A decision to end an excluded licence will be taken in line with the Public Sector Equality Duty as outlined in paragraph 48.</p>
<b>Protected or other licence type</b>	Possession action will be taken in accordance with the conditions of the relevant licence.

**Appeals**

2 Where we serve a legal notice to end an introductory tenancy or rely on a mandatory ground, we will offer the tenant a right to appeal this decision.

**Injunction**

2 An Injunction under Part 1 of the ASB, Crime and Policing Act 2014 is a court order, designed to prevent further harm. They may require the person (over the age of 10) to stop doing certain things or require them to do certain things. A breach can result in a fine and/or a

custodial sentence. Where the person with an injunction is a AHHA customer (or linked to a customer's property), a breach may also result in possession action under the mandatory ground.

#### **Tools Available To Our Partner Agencies**

- 2 Sometimes the legal tool most suitable is not one that we have legal recourse to. In these instances, we will work with the partner agency that can use this tool, offering to support their case if appropriate. For example, Closure Orders, Community Protection Warnings and Notices (**CPW and CPNs**) and Criminal Behaviour Orders (**CBOs**).

## **22. WORKING WITH PARTNERS**

- 2 There are few ASB cases that can be resolved effectively as a single agency response. Most will require engagement with other statutory and non-statutory partners and a multi-agency response. Examples of agencies we work with include the Police, other housing providers, adult and children's services, health services, drug and alcohol support services, youth offending teams, schools, probation services, interpreters, the fire service and 3rd sector organisations.
- 2 In relation to partnership working, we seek to:
  - a) Identify and engage with appropriate partners to involve in a case
  - b) Share information that is relevant to a case, in order to fully understand risk and vulnerability and ensure that we take the most proportionate and effective actions.
  - c) Develop a joint action plan that clearly identifies a lead agency and the required actions of all involved.
  - d) Be clear on the extent and limitations of our role and responsibilities.
  - e) Seek the views of others before commencing legal action to ensure there is no duplication, and the solution proposed is most suitable.

### **Partnership Forums**

22.3 Within local areas are partnership forums which are designed to facilitate a multi-agency response to local issues, including ASB and related behaviour. We will attend and actively engage in those which are relevant to our work.

22.4 In addition, we may organise professionals' meetings in relation to individual cases to ensure that all information is known by all relevant bodies and that the most informed and appropriate decisions can be made in a case.

### **Information Sharing**

- 2 Effective partnership working relies on information sharing. We will ensure that we are sharing information with others where we have a clear lawful basis and legitimate purpose for doing so.
- 2 We are signatories to the Information Sharing Agreements of the Local Authority Community Safety Partnerships (**CSPs**) in areas where we have properties. We commit to sharing, storing, using and retaining information as set out within these agreements. Information sharing arrangements may vary when matters relate to looked after children.

- 2 It is the responsibility of the Heads of each department to maintain up-to-date information sharing protocols for each Local Authority area in which they have properties and to share this information with our Data Protection Officer (**DPO**).

**23. COMMUNICATION**

**Communication with TRS**

- 2 We will always ensure that we keep in contact with those reporting ASB, being clear, transparent and fair in our communication.
- 2 We will update on progress of a case as much as we are able without breaching data protection laws. For example, actions in a case may relate to the needs and circumstances of a third party and we would be unable to share this information with the person reporting the ASB.
- 2 We provide reporters with a clear action plan outlining our next steps and those required of the reporter, with respective timeframes. The plans should also include agreed communication methods, frequency of updates, and a specified point of contact.
- 2 We will also consider any reasonable adjustments that may be needed to support the reporter’s ability to engage with the process, ensuring their communication preferences and requirements are met. Reporters will be kept informed throughout the life of the case, ensuring transparency and regular progress updates.

**Publicity**

- 2 Publicising actions that we take in ASB cases can assist greatly in reassuring communities, encouraging reporting and deterring those causing ASB. Some of the legal action we take requires the support of the local community to help us monitor compliance and helps raise awareness of what the person has been asked to do.
- 2 We make a decision on whether to publicise, and the extent/methods of doing so, on a case-by-case basis, considering factors such as the age, circumstances of the person causing the harm, the purpose of the publicity, and whether it is necessary and proportionate.

**Feedback and Complaints**

- 23.7 We are committed to engaging with our customers and residents about the services we provide and actively encourage feedback to support continuous improvement. This includes seeking feedback through a satisfaction survey at case closure.
- 23.8 Feedback including complaints can also be submitted via:

<b>Phone:</b>	0121 271 0789 Between 9am to 5pm
<b>e-mail:</b>	<a href="mailto:customerinfo@adullam.org.uk">customerinfo@adullam.org.uk</a>
<b>Online:</b>	<a href="https://www.adullam.org.uk/contact-us">https://www.adullam.org.uk/contact-us</a>
<b>In person:</b>	At any of our offices open to the public ( <b>see Appendix B</b> )
<b>By Post:</b>	Walter Moore House, 34 Dudley Street, West Bromwich, West Midlands B70 9LS

### **Unreasonable and Persistent Reporters**

- 2 Whilst we wish to encourage reports of ASB, there are times where this reporting can be inappropriate. This may be where the report(s):
  - a) Is malicious, false or exaggerated
  - b) Relate to matters we have already made a decision on, with no new information.
  - c) Is so persistent that it is having an unreasonable impact on our time and resources.
- 2 We will seek to understand the reason for these types of reporting, for example, does the contact arise from an unmet support need, have we missed opportunity to intervene or made an incorrect decision. However, we may need to take action in line with our corporate Vexatious Complaints and Unreasonable Persistent Contact policy and procedures to manage the inappropriate reporting.

### **The ASB Case Review**

- 2 We seek to make our customers aware of the ASB Case Review, a statutory provision that every local authority must have in place with its partners. It allows customers to request an independent review of their case where a local threshold is met, which may result in recommendations.
- 2 We actively promote the ASB Case Review by encouraging reporters to apply when deemed appropriate.
- 2 Details of all of the local ASB Case Review processes can be accessed on the ASB Case Review directory found on [www.asbhelp.co.uk](http://www.asbhelp.co.uk).

## **24. PERFORMANCE**

### **Training and Development**

- 2 Managing cases of ASB can be complex, requiring a wide range of skills, knowledge and experience. Through supervision, we seek to identify the needs of case officers, sourcing relevant training courses or materials where appropriate. We also aim to keep officers updated on changes in regulation, legislation and best practice, via training, attendance at webinars etc.
- 2 Case officers also attend regular case supervision sessions where they can seek advice and support in relation to casework.
- 2 We provide training to Board members on ASB and related responsibilities to ensure they are equipped to oversee the service effectively and support continuous improvement.

### **Performance Management**

- 2 To ensure we are delivering a high-performing ASB service and continually improving, we carry out a range of activities, including:
  - a) Conducting case file audits every three months, reviewing 10% of both open and closed cases to ensure compliance with policy, support staff development, and inform performance management and service improvement.
  - b) Issuing satisfaction surveys following case closure to gather feedback on the process and the customer's satisfaction with the outcome.
  - c) Reviewing customer feedback to identify opportunities for service development.

- d) Analysing the outcomes of service complaints, tenant scrutiny reviews, Ombudsman enquiries, and ASB case reviews to inform learning and drive improvements.
  - e) Producing a bi-annual review detailing any trends and any resulting changes to practice or procedures.
- 2 Officers / Team Leaders responsible for ASB should escalate any performance issues to Property Services Operational Managers (PSOMs) and ASB Community Safety Co-ordinator for appropriate action and monitoring.
- 2 The Head of Housing will complete an annual report is provided to the Operational Committee and Board to assure compliance with this policy and highlight TRS engagement.

## **25. REVIEW OF THIS POLICY**

- 2 This policy will be reviewed after the first 12 months and thereafter on a 3-year cyclical basis. This may occur earlier if there is a change in legislation, regulation which necessitates it or at the request of staff/management.

### **TRS Engagement**

- 2 We have liaised with our customers including those affected by ASB and our tenancy scrutiny panel to shape this policy.

## **26. EQUALITY, DIVERSITY & INCLUSION**

- 2 When considering Hate Crime there are no negative impacts arising from this Policy based on a customer's race, religion, disability, gender or gender identity, sexual orientation, marital or civil partnership status, pregnancy, or age.

## **27. DATA PROTECTION**

- 2 The General Data Protection Regulation (GDPR) requires compliance with principles for processing personal data, including protecting against unauthorised access of personal data. Personal data that is inappropriately accessed or disclosed may constitute a data breach. The GDPR requires organisations to keep a record of all data breaches and, where the breach is likely to result in a risk to the rights and freedoms of individuals, the organisation must notify the ICO within 72 hours of becoming aware of the breach. If the data breach results in a high risk to the rights and freedoms of individuals, those individuals must be notified without undue delay.

## **28. APPENDICES**

- 2 Refer to appendices summary list below:
- a) APPENDIX A - TYPICAL EXAMPLES OF THE BEHAVIOURS
  - b) APPENDIX B -AHHA OFFICES OPEN TO THE PUBLIC

**APPENDIX A - TYPICAL EXAMPLES OF THE BEHAVIOURS**

The following table provides some examples of the types of behaviours we would consider fall within our ASB Policy and those that would come under our **Good Neighbourhood Management (GNM)** policy. This is not an exhaustive list nor an absolute rule. The context of each case will be taken into account when determining the appropriate policy.

<b>ASB Policy</b>	<b>Good Neighbourhood Management Policy</b>
Violence	Neighbour disputes
Threats of violence	CCTV and use of camera doorbells
Verbal abuse	Non ASB noise reports
Arson	Cannabis smoking
Damage	Parking
Drugs- possession, dealing, cultivation	Everyday living noise e.g. Children playing, people talking, babies crying
Cuckooing (this could potentially be a hate crime)	DIY
Hate incidents/Crime*	Dogs barking at reasonable times and duration
Harassment and intimidation**	Boundaries
ASB Noise (reports will be assessed to establish if the noise report is ASB or to be managed under our Good Neighbourhood Management (GNM) Policy	

\*To be read in conjunction with our hate crime policy

\*\* If the harassment is motivated by hate then the ASB Policy will be read in conjunction with our hate crime policy and Guidance Of Prevention Of Bullying and Harassment and Harassment Policy & Procedure.

**APPENDIX B -AHHA OFFICES OPEN TO THE PUBLIC**

No	Project	Address	Location	Opening Hours	Telephone Number
1	Head Office	Walter Moore House	Birmingham Sandwell Tipton	Between 9am to 5pm	Contact Number Office: 0121 271 0789 ASB Respect Line 0800 075 6699 (Between 5pm to 9am)
	General Needs	34 Dudley Street		Between 9am to 5pm	
	Birmingham South	West Bromwich West		Between 9am to 5pm	
	Birmingham North	Midlands B70 9LS		Between 9am to 5pm	
2	Head Office	Beech House 20 Buxton Road Congleton CW12 2DT	Congleton		Contact Number Office: 01457 860268 or 01260 294415  ASB Respect Line 0800 075 6699 (Between 5pm to 9am)
3	Chorley Old Road Hostel	22-26 Chorley Old Road Bolton Greater Manchester BL1 3AA	Greater Manchester		Contact Number Office: 01204 232 047  ASB Respect Line 0800 075 6699 (Between 5pm to 9am)
	Muamba House (NSAP)	Muamba House 17 Duke Street Bolton Greater Manchester BL1 2LU			Contact Number Office: 01204 232048  ASB Respect Line 0800 075 6699 (Between 5pm to 9am)
4	Chatsworth House	117 Chatsworth Road, Chesterfield Derbyshire S40 2AP	Derbyshire		Contact Number Office: 01246 690006  ASB Respect Line 0800 075 6699 (Between 5pm to 9am)
	Devonshire House	68 St Helens Street Chesterfield Derbyshire			Contact Number Office: 01246 690010

No	Project	Address	Location	Opening Hours	Telephone Number
		S41 7QD			ASB Respect Line 0800 075 6699 (Between 5pm to 9am)
	Salisbury House	Salisbury House 1 Hardwick Square North Buxton High Peak Derbyshire SK17 6PU			Contact Number Office: 0129873798  ASB Respect Line 0800 075 6699 (Between 5pm to 9am)
5	Norman House	Norman House 23 Ashleigh Road Leicester Leicestershire LE3 0FA	Leicester		Contact Number Office: 01162 715 261  ASB Respect Line 0800 075 6699 (Between 5pm to 9am)
6	Bethany Leicester Project	25 Tarragon Road Western Boulevard Leicester LE2 7ET			
7	Life House	Lifehouse Vale Street Stoke on Trent ST4 7RN	Stoke on Trent		Contact Number Office: 01782 914916  ASB Respect Line 0800 075 6699 (Between 5pm to 9am)