



ASB Policy

Company No: 11567414
Registered Provider No: 5094
Version 3.1 – February 2025

Simply Affordable Homes RP (SAH) Limited

ANTI SOCIAL BEHAVIOUR AND HARASSMENT

1. Introduction

- 1.1 We believe that residents have the right to enjoy the peace, quiet and security of their property and the wider locality.
- 1.2 We recognise the impact and damage that anti-social behaviour and harassment can have on the communities we serve. Failure to deal with it can result in high levels of customer dissatisfaction and a consequent downward spiral in the condition of neighbourhoods and the breakdown of sustainable communities.
- 1.3 We are committed to do all we can, within our powers, to prevent, investigate, manage and tackle anti-social behaviour (ASB) and harassment. We will also consider taking tenancy enforcement action in relation to cases of criminal activity, where a tenant has received a conviction.
- 1.4 We are committed to tackling cases of proven ASB and harassment as part of our wider objective of creating communities that our residents are proud of. We will work with Registered Provider Managing Agent partners, our local authority partners and the Police to achieve this objective.
- 1.5 We adopt the definition of ASB as set out in the Antisocial Crime and Policing Act 2014:
 - a) conduct that has caused, or is likely to cause, harassment, harm or distress to any person
 - b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
 - c) conduct capable of causing housing-related nuisance or annoyance to any person
- 1.6 Our definition of harassment (from the Protection from Harassment Act 1997):

Harassment may include grounds of race, disability, sex, sexual orientation, belief or religion or gender reassignment. Such actions can be:

 - Physical conduct
 - Verbal conduct
 - Non-verbal conduct
- 1.7 We adopt the definition of a racist incident as provided by the Macpherson Inquiry Report 1999:

'A racist incident is any incident that is perceived to be racist by the victim or any

other person'.

- 1.8 Criminal activity is where the Police have arrested and charged a tenant, occupant or visitor with a crime that has been conducted within the vicinity of one of our homes and this has resulted in a conviction in the criminal courts.

2. Our approach

- 2.1 When dealing with a case of ASB or harassment, we will remain sympathetic and sensitive to the needs of Party 1 (the person experiencing the ASB or harassment) as well as objective and impartial in our approach.
- 2.2 The company's strategy and business plan is that almost all interaction with residents (including leaseholders of shared ownership homes and tenants of rented ones) regarding cases of ASB or harassment will be provided through third party Registered Providers acting as managing agents (MARPs). This is expected to provide benefits to residents in terms of; i) minimising disruption for residents at the time of acquisition with continuity of services and contact details, ii) providing a simple solution for residents enabling quicker resolution by connecting directly to the provider of those services.
- 2.3 Nonetheless, responsibility for cases of ASB, or harassment, rightly remain with the company. The company shall ensure that MARPs have appropriate systems and approach to deal with cases of ASB or harassment and to ensure the provision of adequate information to the company to monitor cases.
- 2.4 We will examine a MARPs systems and approach for dealing with cases of ASB, harassment or criminal activity and would expect the MARP's policies to include those listed in appendix 1.

Confidentiality

- 2.5 We and the MARP will sign up to Information Protocols where they have been established, as appropriate.
- 2.6 We and the MARP will treat as confidential all ASB and harassment related information provided by either Party in accordance with Data Protection legislation and our policies and procedures under this Act.
- 2.7 We or the MARP will, however, disclose information to the Police, Children and Adult Services and associated agencies for the purpose of prevention and detection of crime, apprehension or prosecution of offenders and the protection of children, young people and vulnerable adults or where failure to disclose would be likely to prejudice these objectives.

3. Review

Quality monitoring, feedback and reporting

- 3.1 Details of our performance and that of our MARPs in tackling cases of ASB, harassment and serious criminal activity will be monitored by the Board.
- 3.2 We will require our MARPs to keep detailed records of ASB, harassment and serious criminal activity and their investigations of the same and to report on these to the Board to enable the Board to monitor and review against its targets and key performance indicators.
- 3.3 We will regularly seek and review feedback and engage/consult our customers about the services we offer via various other methods and forums – which will also be used to help us to improve our standards, services and general offering.
- 3.4 We will undertake an annual program of customer satisfaction surveys, in line with the regulator’s Tenant Satisfaction Measures (TSM) and review all relevant customer complaints to identify any potential trends in service failures.
- 3.5 All of the above will help us continue to identify opportunities to improve the services we provide and to ensure we are getting value for money from our property managers and contractors.

4. Key Legislation (but not limited to)

- ASB Act 2003
- ASB Crime and Policing Act 2014
- Crime and Disorder Act 1998
- Equality Act 2010
- Data Protection Act 1998
- Human Rights Act 1998
- The Racial and Religious Hatred Act 2006
- Environmental Protection Act 1990 & Noise and Statutory Nuisance Act 1993
- General Data Protection Regulations 2018

5. Policy Review

- 5.1 We will review this policy within 12 months (by the end of July 2025) to reflect any learning during our first year; and then every two years to address customer feedback, legislative, regulatory, best practice or operational issues, unless otherwise needed.

Appendix 1 Expectations of MARP ASB Policies

Approach and position

1. Provide a dedicated Community Safety Resource (CSR) that will deal with high level ASB, harassment and serious criminal activity.
2. The CSR will support Neighbourhood Officers, Independent Living Officers, Partnership & Agents Officers and Leasehold Officers in dealing with general ASB.
3. Provide specialist legal advice, to work with officers to ensure that appropriate legal action is taken to tackle ASB, harassment and serious criminal activity.
4. Where possible and where requested the MARP will provide a member of staff of the same sex, sexual orientation or similar ethnic background. We will provide an interpreter to assist if necessary.
5. Develop communities that promote inclusion, challenge discrimination, discourage ASB and improve the quality of life.
6. Ensure that residents are able to report incidents of ASB easily via number of channels and feel supported throughout the time they have their case open
7. Effective early action will be taken wherever possible.
8. Respond quickly to reports of ASB, harassment and serious criminal activity in an efficient sensitive and consistent manner and investigate complaints fairly and thoroughly.
9. Offer support to Party 1 and Party 2 (the alleged person causing the ASB, harassment or committed the serious criminal activity).
10. Encourage all parties of a case to consider mediation as a means of dispute resolution where appropriate.
11. Work with its partners and other agencies to assist Party 2 in order that they do not repeat the behaviour.
12. Work in partnership with other agencies to prevent and tackle ASB in the neighbourhoods where it owns and manages homes.
13. Contribute to Community Safety Partnerships and crime reduction meetings of its partnering agencies.
14. With partnering agencies, the MARP will encourage the use of community resolution.
15. Empower staff and communities through appropriate training and support.
16. Involve residents in developing and monitoring its services and procedures.

Support

17. Carry out risk assessments to establish if either Party is considered vulnerable.
18. Support all parties including witnesses, using partnership agencies if required.
19. Ensure that the well-being and safety of witnesses is a high priority.
20. In appropriate cases where the witnesses of ASB and harassment are reluctant to provide evidence, consider other options in gathering evidence.
21. Recognise that Party 2 may have a wide range of problems contributing to their behaviour, such as:
 - Drug abuse

- Alcohol abuse
- Mental health
- Other disabilities, or health problems, which may have an affect on their conduct.

22. Attempts to resolve some problems will require close working with specialist agencies and will take account of the Equality Act 2010 and the Human Rights Act 1998 and best practice.

Communication

23. Promote the work done to solve cases of ASB, harassment and serious criminal activity

24. Promote good neighbour relations and tolerance of lifestyle differences.

25. Ensure that residents are aware of the obligations contained within their tenancy agreement or lease and that they are responsible for the behaviour of other members of their household including children, lodgers, visitors or pets. (All tenancy agreements or leases contain clauses that require residents not to do or permit anything that causes a nuisance or annoyance to others in the locality.)

26. Maintain contact with all parties involved in a case.

Legal action

27. Where appropriate use legal powers to tackle ASB, harassment and serious criminal activity, in conjunction with the MARP's partner agencies using the relevant current legislation.

28. Use non-legal powers that have been identified as best practice.

Appendix 2 – Revision History

| Date | Version | Comments / Changes |
|-------------|----------------|---|
| 05/15/2019 | 1.0 | Initial version |
| 08/19/2020 | 2.0 | Added Revision History and updated header with RP number and date |
| 10/01/2020 | 2.1 | Small changes for NM review |
| 11/10/2022 | 2.2 | RP name change |
| July 2024 | 3.0 | CT Review |
| Feb 2025 | 3.1 | New template and review |
| July 2025 | | Year one review |
| July 2027 | | Review |