

	<h2 style="text-align: center;">Anti-Social Behaviour (ASB) Policy</h2>
<p><b>Policy statement</b></p>	<p>This policy sets out Paradigm’s approach to supporting our customers in preventing and tackling Anti-social Behaviour (ASB), Harassment and Hate Crime. Unless we say otherwise, we use the term ASB to incorporate harassment and hate crime.</p> <p>We recognise the disruptive and detrimental effect that ASB can have on the lives of our customers and wider communities. ASB is a breach of tenancy and, in some instances, can be criminal in nature.</p> <p>We will adopt a harm/risk based approach, with complainants and victims at the centre of case management. Firmly embedded in this approach is a commitment to safeguarding principles to ensure the welfare and wellbeing of our customers.</p> <p>We commit to taking decisive and swift action, engaging our complainants and victims at each step of the case management process.</p> <p>We are committed to resolving instances of ASB using the principles of Prevention, Support, Intervention and Enforcement.</p> <p>We will use preventative methods and support to bring relief to those experiencing ASB and sustain tenancies where breaches have occurred, but will use intervention and enforcement methods where required, to ensure the welfare and wellbeing of our residents and wider communities.</p> <p>We will use a multi-agency approach to resolving instances of ASB, ensuring effective selection of tools from the full suite of remedies available.</p> <p>Paradigm’s approach to managing domestic abuse is set out in the Domestic Abuse Policy.</p>
<p><b>Objective</b></p>	<p>Our Policy has the following objectives:</p> <ul style="list-style-type: none"> <li>• Ensure compliance with our statutory and regulatory obligations</li> <li>• Investigate all complaints of ASB efficiently and resolve them in an impartial and proactive manner</li> <li>• Prevent incidents and reoccurrence of anti-social behaviour by using the range of interventions available</li> <li>• Use legal action to deal with perpetrators, where there is supporting evidence to do so</li> <li>• Communicate effectively with residents and provide appropriate information, advice and support</li> <li>• Work in partnership with community safety partners and other specialist agencies</li> <li>• Improve resident satisfaction levels in relation to the management of anti-social behaviour</li> <li>• Ensure our staff are trained and equipped to effectively manage ASB.</li> </ul>
<p><b>Policy</b></p>	<p>The Anti-Social Behaviour Crime and Policing Act 2014 defines anti-social behaviour as:</p>

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

Harassment is defined in the Protection from Harassment Act 1997 as:

"A person must not pursue a course of conduct:

- which amounts to harassment of another; and
- which he/she knows or ought to know amounts to harassment of the other"

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

- Physical conduct;
- Verbal conduct; and
- Non-verbal conduct

"Hate Crime" is defined by the Home Office as 'any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice towards someone based on a personal characteristic.' There are five centrally monitored strands of hate crime:

- race or ethnicity;
- religion or beliefs;
- sexual orientation;
- disability; and
- transgender identity.

We recognise the detrimental effect that ASB can have on the lives of our customers and wider communities. It is important that complainants and victims of ASB are clear about the circumstances in which we can intervene and the sanctions available to us.

We will be open and honest about what we can and cannot do, and where primary responsibility and powers lie with other agencies including the police or local authority.

It is important that complainants and victims of ASB are clear about the circumstances in which we can intervene and the sanctions available to us. We will not raise expectations that we can take action where we cannot do so or where primary responsibility and powers lie with other agencies including the police or local authority.

### **ASB**

Paradigm consider the following as examples of behaviour that will be treated as ASB

- ASB related to drug or alcohol abuse
- Vandalism and damage to property
- Extreme and persistent noise
- Actual violence/threats of violence against people or property
- Verbal abuse, harassment, intimidation or threatening behaviour

- Hate-related incidents (based on race, ethnicity, nationality, sexual orientation, gender, disability, religion, age)

A more complete list is available in the ASB guidance and available on our website.

When we receive a report which we do not consider meets the ASB threshold, we will be clear with the customer and work to manage their expectations of what support is available to them to manage and resolve the issue.

#### **Risk assessment**

Paradigm will respond to all initial reports of anti-social behaviour within one working day. A risk assessment will be undertaken to determine case priority, response times and frequency of contact. The risk assessment will include an assessment of the complainant's vulnerability. High priority cases are likely to include cases which involve immediate danger including, violence or threats of violence, hate crime or domestic abuse and will include liaison with other agencies including the police.

#### **ASB Case Management**

ASB will be managed by a specialist ASB Team who will investigate the case in accordance with relevant regulatory and legal requirements. ASB cases will be investigated following the principles of prevention, support, intervention and enforcement.

#### Prevention

Paradigm is committed to taking action to prevent ASB occurring and will do this by:

- Considering ASB in our lettings process; we may not accept nominations from those who have an unsatisfactory tenancy history including ASB
- Using Local Lettings Plans
- Including terms within our agreements which deal with ASB
- Clarifying behavioural responsibilities with prospective tenants at viewing and sign-up, as set out in the terms of their agreement
- Using a range of tenancies, including starter tenancies
- Promoting customer engagement activities including estate walkabouts, and Have Your Say events
- Referrals to support services which may be provided by Paradigm or other organisations
- Taking safety and security issues into account when developing new housing
- Undertaking estate environment improvements focused on improving resident safety
- Using Good Neighbour Agreements.

#### Support

Paradigm will provide support to complainants, witnesses and perpetrators by:

- Agreeing an ASB action plan which sets out Paradigm's expectations of both the complainant and perpetrator, and the consequences of not meeting the requirements of the action plan
- Agreeing a method and frequency of communication with all parties to the case and ensuring updates are provided in accordance with the risk assessment
- Identifying any support needs as early as possible and throughout the investigation, and working with partners to meet these needs
- Convening and attending case conferences which are focused on resolving the ASB

- Considering alternative means of gathering evidence where complainants/witnesses are reluctant or unable to provide evidence.

Any safeguarding issues that are identified as part of the ASB investigation will be managed in accordance with the Safeguarding Policy.

#### Intervention

Paradigm recognises the importance of resolving ASB cases swiftly and will do this by:

- Responding to all initial reports of anti-social behaviour within one working day
- Undertaking a proactive investigation including interviewing all those involved and gathering relevant evidence
- Using early intervention tools including advisory and warning letters and Acceptable Behaviour Contracts
- Referring to specialist support agencies
- Using an independent mediation service
- Using management moves where this is supported by the case investigation and partner agencies
- Extending a Starter Tenancy (focusing on achieving compliance with the tenant obligations)

#### Enforcement

The purpose of taking enforcement action is to prevent further breaches of tenancy and to resolve the ASB for the benefit of those affected. Paradigm will consider all enforcement options available to us, including, but not limited to:

- Civil injunctions (including without notice)
- Application for committal upon proven breach of a civil injunction
- Possession (including on mandatory grounds)

We will also explore, in partnership with statutory agencies, the use of other sanctions including closure orders, noise abatement notices/orders, criminal behaviour orders and community protection notices (CPNs).

We will comply with the requirements of the Equality Act 2010 including the Public Sector Equality Duty to consider, provide and signpost support and where possession action is proposed and the EA 2010 applies that we have assessed and concluded that such action is proportionate under the Act.

#### **Case Closure**

ASB cases will be closed when:

- The ASB has been resolved
- There is no evidence to support the allegations of ASB
- The complainant has disengaged from contact with Paradigm and there is no other supporting evidence available to enable the investigation to proceed.

Complainants will be advised in advance of any decision to close their ASB case.

#### **Communication**

We recognise the importance of communicating effectively with customers about ASB and will:

- Maintain contact with all parties involved in an ASB case at a frequency determined by the risk assessment and case stage, as set out below, or at a frequency agreed with the complainant

Stage/Risk	Low Risk (0-20)	Medium Risk (21-26)	High Risk (27-44)
Acknowledgement	1 working day	1 working day	1 working day
Risk Assessment	1 working day	1 working day	1 working day
Investigation	10 working days	5 working days	1 working day
Case Management	20 working days	20 working days	5 working days

- Ensure that residents are aware of their obligations under their agreements including their responsibility for the behaviour of members of their household including children, lodgers, visitors, and pets
- Promote good neighbour relations and tolerance of lifestyle differences
- Be clear about the behaviour that is not ASB, offering guidance and advice to residents about how they can deal with the situation themselves
- Advise all relevant parties in a timely manner when a case is closed
- Promote the work done to resolve cases of ASB.

#### **Working in Partnership**

Paradigm recognises the importance of working in partnership to tackle the causes and impacts of ASB. We are committed to working with partner agencies to tackle the issues of ASB and to identify longer term solutions. We recognise that partners have a range of different powers to address ASB and we will work with them to harness this collective capability, including when a Community Trigger has been requested.

Paradigm will use ASB data to identify clusters and reoccurrence of ASB. We will use this information to initiate projects which prevent crime and address wider environmental and neighbourhood improvements.

#### **Information Sharing**

We will treat all information received as part of an ASB investigation in confidence. It is important to recognise that in certain circumstances confidentiality may be subject to a duty to disclose, this will include but is not limited to:

- The prevention of immediate risk of harm
- Safeguard vulnerable adults
- Safeguard children at risk of harm.

In these circumstances, we will share information with other agencies in line with the General Data Protection Regulations (GDPR), the Data Protection Act 2018 the Data Protection Policy governs and covers data protection.

We may enter into information sharing protocols with partners to enable information to be shared in accordance with General Data Protection Regulations (GDPR).

#### **Customer Insight**

	<p>Obtaining regular customer insight is essential to enable us to provide an excellent customer focused ASB service. Paradigm will seek customer insight from customers during the case investigation and engage with residents to identify areas of service improvement.</p> <p><b>Health and Safety</b> We are committed to measures which protect and promote the health and safety of our staff and residents, including when we are dealing with any form of ASB. This includes the reporting of any incidents where any form of verbal or physical abuse occurs, which will also be fully investigated. Please refer to our Health and Safety Policy for more information.</p> <p><b>Training and Development</b> We are committed to ensuring staff have the confidence and knowledge to identify, respond to, investigate, and resolve reports of ASB. This will include</p> <ul style="list-style-type: none"> <li>• Excellent customer relationship skills</li> <li>• Knowledge of the range of interventions we use to resolve ASB</li> <li>• The skills and knowledge to progress cases through court where relevant enforcement measures are used</li> <li>• Providing advice on the steps that both Paradigm and its residents can take to resolve ASB complaints.</li> </ul>
<b>Scope</b>	<p>This policy applies to tenants, shared owners, leaseholders, licensees, and anyone who reports an ASB incident to Paradigm.</p> <p>We will accept anonymous complaints as this may help to identify an emerging issue, however a formal ASB case will not be opened. Where an anonymous complainant makes a report over the telephone, we will be clear that a lack of engagement may affect our ability to effectively resolve their issue.</p>

<b>Roles and Responsibility</b>	<p>The <b>Executive Director of Customer</b> has overall responsibility for this policy and will authorise all warrant applications in respect of ASB breaches</p> <p>The <b>Head of Operations</b> has responsibility for:</p> <ul style="list-style-type: none"> <li>• Operational implementation of the policy</li> <li>• Promotion of the policy</li> <li>• Authorising the service of notices in respect of ASB on mandatory grounds</li> <li>• Authorising applications for possession in respect of ASB</li> </ul> <p>The <b>ASB and Support Services Manager (SSM)</b> has responsibility for:</p> <ul style="list-style-type: none"> <li>• Ensuring the ASB Policy is followed</li> <li>• Ensuring that all cases are managed in accordance with associated guidance and good practice</li> <li>• Producing a monthly ASB performance report, analysing performance, and identifying improvement plans where required</li> <li>• Reviewing cases to ensure that the correct intervention tool is being used in each case</li> <li>• Authorising the service of notices in respect of ASB on discretionary grounds and injunctive action</li> <li>• Ensure a training programme is in place for frontline staff regarding ASB including intervention tools and managing customer expectations</li> <li>• Ensure any incident of ASB involving a member of staff is reported as a Health and Safety incident</li> <li>• Developing and maintaining partnerships with community safety partners</li> <li>• Monitoring trends including using data to direct action where required</li> <li>• Identifying and implementing ASB initiatives which focus on reducing ASB</li> <li>• Developing and delivering the ASB communication plan</li> <li>• Carrying out monthly ASB health checks on a sample of cases to ensure adherence to case management principles</li> <li>• Sign-off on Closure Order consultation documents</li> </ul> <p>The <b>ASB Case Managers</b> are responsible for:</p> <ul style="list-style-type: none"> <li>• Identifying and providing the initial response to all reports of ASB</li> <li>• Investigating and managing ASB cases in accordance with case management principles</li> <li>• Identifying the course of action, from the full range of tools (both early intervention and enforcement) which will best resolve the ASB case</li> <li>• Closing ASB cases in a timely manner, advising all parties of the outcome</li> <li>• Representing Paradigm at Community Safety meetings including MARAC as required</li> <li>• Making referrals for mediation and specialist support</li> <li>• Arranging professional witnesses as required</li> </ul> <p>The <b>Senior Solicitor</b> is responsible for:</p> <ul style="list-style-type: none"> <li>• Advising the business on the law in this area of work</li> <li>• Advising on the legal remedies to be considered in a case</li> <li>• Reviewing all cases where enforcement action is proposed to ensure adherence to the legal, policy and regulatory framework</li> <li>• Managing legal cases when proceedings have been issued</li> </ul>
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	<ul style="list-style-type: none"> <li>• Representing, including arranging representation, for the business at court hearings</li> <li>• Providing legal training to staff</li> </ul> <p>The <b>Senior Regional Housing Operations Managers</b> are responsible for:</p> <ul style="list-style-type: none"> <li>• Ensuring Housing Officer contacts are monitored and any reports which meet the ASB threshold are correctly referred to the ASB Case Manager</li> <li>• Attending cross-team liaison meetings to represent housing teams</li> <li>• Supporting the development and implementation of ASB initiatives</li> </ul> <p>The <b>Letting and Allocations Manager</b></p> <ul style="list-style-type: none"> <li>• Reviewing any risk assessments where the proposed tenant may pose a risk to the local community</li> <li>• Ensuring any refusals by the Lettings and Allocations Officers are recorded correctly and decisions applied consistently in line with the policy</li> </ul> <p>The <b>Tenancy Sustainment Advisors</b> are responsible for:</p> <ul style="list-style-type: none"> <li>• Actioning referrals for support and providing feedback as required</li> </ul> <p>The <b>Housing Officers</b> are responsible for:</p> <ul style="list-style-type: none"> <li>• Ensuring ASB issues are referred to the ASB Case Manager</li> <li>• Supporting the ASB Case Manager including by processing requests for management moves</li> </ul> <p>The <b>Customer Service Advisors</b> are responsible for:</p> <ul style="list-style-type: none"> <li>• Taking initial calls from ASB complainants</li> <li>• Opening an ASB case on the system where the criteria is met.</li> <li>• Allocating newly opened cases to the correct ASB Case Manager</li> </ul>
<p><b>Monitoring / Reporting and Assurance Controls</b></p>	<p><b>Monitoring</b> All incidents of ASB are recorded, and case managed via the housing management ASB system.</p> <p>All open cases are reviewed by the ASB &amp; SSM to ensure the policy and procedural guidance is adhered to.</p> <p>ASB case health checks will be carried out on a monthly basis, on a sample of recently opened and closed cases. Outcomes will be recorded and reported and will be used to manage performance.</p> <p>The ASB &amp; SSM will produce a monthly report which includes the following performance information:</p> <ul style="list-style-type: none"> <li>• The number and types of anti-social behaviour cases opened in the month</li> <li>• The number and type of early intervention action taken</li> <li>• The number and type of enforcement action taken</li> <li>• Referrals for support, both internal and via a third-party agency</li> <li>• The outcome of ASB health checks</li> <li>• The number of ASB tenancy related failures including evictions</li> </ul>

	<ul style="list-style-type: none"> <li>• Customer insight with the handling and outcome of the ASB cases</li> </ul> <p>An internal review will be undertaken into any case that is reopened within 6 months to understand if action could have been taken to avoid the case being reopened.</p> <p><b>Customer Insight</b> Customer satisfaction with the ASB service will be independently monitored by obtaining feedback 4 weeks after case opening and at case closure.</p> <p><b>Controls</b></p> <ul style="list-style-type: none"> <li>• A register of training required by the ASB Team will be maintained. The register will be used to ensure all training is up to date</li> <li>• A monthly ASB KPI report will be produced and reviewed by the Head of Operations</li> <li>• Board will receive quarterly KPI information relating to the performance of the ASB service</li> <li>• The ASB &amp; SSM will investigate and respond (with findings and resolution where appropriate) to all complaints about the ASB Service in accordance with the Complaints Policy.</li> <li>• The Head of Operations will receive an overview of the type and outcome of complaints relating to the ASB service monthly</li> <li>• The ASB &amp; SSM will review all open ASB cases monthly to ensure adherence to the policy and procedural guidance. Where case management principles are not being following, the ASB Case Manager will be advised of the remedial action that must be taken, this will be monitored by the ASB&amp;SSM Manager</li> <li>• A proportionality assessment is undertaken, which ensures that the relevant facts and circumstances of the case are assessed prior to possession proceedings being taken</li> <li>• Legal action cannot be taken without the case being authorised by a senior manager (set out above).</li> </ul>
<p><b>Cross References</b></p>	<p>Domestic Abuse Policy  Tenancy Management Policy  CCTV Policy  Eviction Policy  Safeguarding Policy  Lettings Policy  Complaints Policy  Equality, Diversity &amp; Inclusion Policy  Data Protection Policy  Unacceptable Customer Behaviour Policy  Health and Safety Policy</p>

<b>Policy Owner</b>	Executive Director – Customer
<b>Prepared by</b>	Interim Head of Operations Anti-Social Behaviour and Support Services Manager
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