



Policy title:	Anti-Social Behaviour and Hate Incident Policy		
Scope:	Aspire Housing		
Policy owner (job title):	Head of Neighbourhoods		
Approver (job title):	Director of Communities		
Date:	April 2025	Review Due Date:	April 2028

1. POLICY SUMMARY

This policy sets out our approach to tackle Anti-Social Behaviour (ASB) and hate incidents within our neighbourhoods, and how we will work with our customers and communities who experience this.

Aspire is committed to the Respect ASB Charter for Housing and for providing a high quality Anti-Social Behaviour service.

We will use the full range of tools and powers that are available to us to help prevent, deter and tackle ASB and hate incidents that are affecting our customers and communities. Our approach will balance prevention, intervention, and enforcement actions to resolve issues while providing support where required.

We are committed to working collaboratively with customers, local communities, and partner agencies to build safer neighbourhoods and address all forms of ASB. This will be achieved by actively supporting partnership initiatives, including community safety partnerships, to raise awareness and reduce ASB and hate incidents within our communities.

This policy and related procedures have been developed with the support and influence of Aspire's involved customers including a full customer led service review of our ASB service.

It aligns with other relevant corporate policies and is subject to regular reviews to ensure continued with legal and regulatory requirements.

While we have a separate policy for domestic abuse, we recognise that reports of noise nuisance, disturbances, or ASB may sometimes indicate potential domestic abuse or safeguarding concerns. For instance, complaints about arguments could be linked to abuse. As part of our ASB investigations, we will actively consider any potential indicators of domestic abuse or safeguarding issues and ensure appropriate alerts are raised in line with our domestic abuse and safeguarding policies.

Responsibility for policy delivery and legal and regulatory compliance sit with Aspire's Chief Executive, Executive Director of People, Director of Communities, Head of Neighbourhoods, and Locality Managers.

Associated Legislation and related documents

This policy is underpinned by key legislation and regulatory guidance, including but not limited to:

- Social Housing (Regulation) Act 2023
- Anti-Social Behaviour, Crime and Policing Act 2014
- The Equality Act 2010
- Crime and Disorder Act 1998 (as amended 2002)
- Housing Act 1996
- Environmental Protection Act 1990
- Housing and Regeneration Act 2008
- Human Rights Act 1998
- Data Protection Act 2018
- Protection from Harassment Act 1997
- Domestic Violence, Crime and Victims Act 2004
- The Care Act 2014
- Criminal Justice Act 2003

Associated Policies & Procedures:

- Joint Allocation Policy & procedures
- Tenancy Policy
- Safeguarding Policy
- Equality & Diversity Policy
- Data Protection Policy
- Health and Safety Policy
- Data Protection Policy
- Lone Working Procedure
- Customer Complaints & Feedback Policy

- Safeguarding Policy
- Domestic Abuse Policy
- Reform of Anti-Social Behaviour powers statutory guidance for frontline professionals 2014 (updated 2019)
- Anti-Social Behaviour & Tenancy Management Procedure

2. POLICY STATEMENT

The policy aims to ensure that Aspire adopts an effective approach to deterring and tackling anti-social behaviour (ASB) and hate incidents. It also ensures compliance with all relevant legal requirements related to ASB and hate incidents, as well as adherence to the anti-social behaviour provisions outlined in the Neighbourhood and Community Regulatory Standard. We are committed to adhering to the Safer Estates and Information Exchange Protocols and Agreements in all the areas where we work.

Aspire Housing is committed to safeguarding communities from radicalisation. We will ensure colleagues have an awareness of, and understand, how to recognise radicalisation risks and work with partners to ensure colleagues respond to threats in line with the PREVENT strategy.

Our approach to tackling ASB aims to:

- Reduce and prevent instances of anti-social behaviour (ASB) affecting our customers.
- Adopt a victim-centred, proactive approach to addressing ASB, focusing on both prevention and early intervention. We actively listen to customers to understand the effects of ASB, prioritise their wellbeing and safety, and ensure they have access to appropriate support and resources.
- Prioritise support for the most severe cases and high-need customers while offering early intervention to empower individuals to self-manage lower-level concerns.
- Ensure fairness and equity, working collaboratively with communities and local organisations to tackle discrimination and promote equality.

Definition of Anti-Social Behaviour (ASB)

Under Section 2 (1) of the Anti-Social Behaviour Crime and Policing Act 2014 as:

- 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,

- Conduct capable of causing **housing-related** nuisance or annoyance to any person

Housing-related means directly or indirectly relating to the housing management functions of the housing provider.

ASB can include, these examples are not exhaustive:

- Act of violence and threats towards people or property
- Harassment
- Aggressive and/or threatening behaviour, including intimidation
- Abusive behaviour
- Drug and Alcohol related issues and nuisance smells
- Disturbance caused by noisy pets
- Noise nuisance including loud music and excessive shouting
- Garden rubbish
- Litter, graffiti and dumping of rubbish
- Misuse of communal areas

A Hate Incident as defined by the Equality Act is any incident perceived by the victim or any other person to be motivated by prejudice or hate. This includes direct or indirect discrimination against a person's disability; gender; gender reassignment; transgender identity; pregnancy and maternity; marriage and civil partnership; race or ethnicity; religion and belief; sexual orientation; age and alternative subculture (characterised by a strong sense of collective identity and a set of group-specific values and tastes that typically centre on distinctive style/clothing, make-up, body art and music preferences).

We encourage all customers, across all tenures, to respect each other's lifestyles and be mindful of how their choices may impact those around them. There are occasions where behaviour is reported to Aspire, but it is not defined as ASB. While differing lifestyles may sometimes conflict, such differences do not necessarily constitute a breach of tenancy or lease. Examples include but are not limited to:

- Difference in lifestyles, such as DIY during reasonable hours, smells from cooking, people leaving their bins out, use of appliances during the day.
- Everyday living noises related to normal household use of a property including daily activities taking place at different times of the day i.e. shift work
- Children playing in the locality of their home or a designated playing area, if the 'playing' does not include behaviour which could be considered nuisance behaviour.
- One off incident causing a noise disturbance like a one-off party
- Parking issues.
- Personal disputes and actions which amount to people generally being unkind to each other.
- Reports deemed to be unreasonable

In these types of situations we will work with our customers to provide advice and support to help explore how a situation may be improved, this may include signposting to appropriate partner agencies. It is unlikely that any form of legal interventions would be considered or appropriate.

It may not be appropriate for Aspire to investigate reports of ASB if the behaviour is not a breach of tenancy. This includes responsibility for investigating reports of ASB that is taking place on land not owned by Aspire, for example ASB taking place in parks or open spaces. In these types of situations, we will work in collaboration with the local authority, police and other partner agencies who may be the appropriate agencies to investigate these types of concerns.

Aspire's Approach to tackling ASB and Hate related incidents

Aspire is committed to identifying ASB problems at the earliest opportunity and making positive interventions to prevent situations escalating. ASB can be reported to us in person, in writing, over the phone, by email, through the customer portal, on our website and via an agreed third-party representative if appropriate. We accept reports of ASB and hate related incidents from members of the public about customers. We offer all complainants the right to anonymity when reporting ASB and hate related incidents; however the interventions we can take may be limited as a result.

We promote our approach to tackling ASB, and encourage reporting, through leaflets, customer newsletters, our website and social media platforms. We also contribute to a range of partnership initiatives and events to raise awareness in our communities.

ASB takes a victim-centred approach to ASB reports, ensuring risk assessments are completed to identify any vulnerabilities to ensure the appropriate level of support is considered and identify any if there are any safeguarding issues to be considered. Risk assessments are regularly monitored and reviewed.

Action plans are put in place with customers to keep them informed of the actions we are taking and clarify what customers need to do to support ASB investigations.

We will use a range of preventative measures including a strong emphasis on early intervention, signposting to mediation services and legal action to tackle ASB. This includes the full range of tools and powers available to us as outlined in the ASB, Policing and Crime Act 2014. The methods used will be proportionate to the seriousness, impact and frequency of the behaviour, the level of risk that it poses to those affected, and the evidence available to support the case. Our focus is on problem solving, in collaboration with partner agencies and legal enforcement will be considered only when alternative solutions have been exhausted.

Aspire colleagues will exercise professional judgement when assessing reports of ASB. Where behaviour reported does not meet the definition of ASB, we will work with

customers to mitigate disturbances while fostering tolerance between customers and within the community. We will provide guidance and signposting to self-help options where appropriate, including referrals to partner agencies.

Confidentiality will be upheld when supporting victims of domestic abuse. We recognise that potential indicators of domestic abuse may be identified during ASB investigations. Safeguarding concerns will be raised with partner agencies and through our participation in the Multi Agency Risk Assessment Conference (MARAC) a partnership forum supporting at risk victims of domestic abuse.

Victims will be supported in understanding their housing rights and options, accessing specialist support services and making informed decisions while maintaining their safety and privacy.

Working with Complainants and Witnesses

We encourage complainants and witnesses to take an active role in investigations. This includes advising the customer to initially speak with the person responsible for the issue—provided they feel comfortable doing so and there are no perceived risks in approaching them. An active role could include (but not limited to) completing diary sheets, using our Noise App, engaging in mediation, reporting new incidents promptly, reporting incidents to other partners where appropriate. For example, criminal related activity should be reported to the police.

If a customer ceases engagement during an investigation, the case will be closed. Malicious or vindictive complaints will not be tolerated, and where reports of antisocial behaviour are found to be persistent and unfounded, we may take action for breach of tenancy.

We will close a case after investigation and appropriate action is taken in line with the action plan agreed with the customer; if there are no further reports for a period of 6 weeks (unless we have begun legal action or are gathering further evidence) or earlier if agreed with complainant; or no further action can be taken. A discussion will take place with the customer before a case is closed and this will be followed up in writing. If we are unable to contact the customer by phone, we will communicate the intention to close the case in writing, giving the customer an opportunity to contact us.

We will co-operate fully with the ASB Case Review process (formerly known as Community Trigger) to help resolve cases of ASB. Further information is available on our website.

Working with vulnerable customers responsible for ASB

Aspire recognises that some individuals may have complex needs requiring additional support. We will offer support by facilitating access to appropriate support services,

consider individual circumstances when addressing ASB concerns and promote awareness of community care provisions for vulnerable adults. This will not prevent enforcement action where it is necessary to help resolve the issues due to the risk of harm being caused to others and/or the community.

A **vulnerable adult** is defined as a person who is or may need community care services by reason of mental or other disability, age or illness, and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

Data Protection and Information Sharing: Aspire Housing has a duty to share information with relevant agencies. this will be done in accordance with the Data Protection Act 2018 and any information sharing protocols we have in place.

This will be done in accordance with the General Data Protection Regulations 2018 (GDPR) and any information sharing protocols we have, and in some circumstances, confidentiality may be subjected to a duty to disclose relevant information to other statutory agencies.

Staff Training: We are committed to providing regular training to our colleagues who provide front line services to our customers. This will ensure colleagues have the knowledge and professional curiosity to help them tackle ASB and hate incidents effectively. We encourage colleagues to discuss any concerns involving ASB investigations which may be impacting on their health and wellbeing.

3. CONFIDENTIALITY, DATA PROTECTION AND INFORMATION SHARING

Aspire will treat all information received with the strictest of confidence. In the first instance, the best interest and wishes of the complainant will drive the actions that we will take. As a registered provider, we have a duty to share information with relevant agencies as set out by the Crime and Disorder Act 1998. This will be done in accordance with the General Data Protection Regulations 2018 (GDPR) and any information sharing protocols we have, and in some circumstances, confidentiality may be subjected to a duty to disclose relevant information to other statutory agencies.

Data will be processed in line with our privacy policy and retained for periods as set out within our data retention policy. Further information on our Data Protection policy can be found on our website.

4. EQUALITY AND DIVERSITY

Aspire Housing is committed to the principles of equality and diversity, this policy has been developed in line with our Equality and Diversity Policy. We aim to:

- Encourage and support all customers that experience ASB and hate incidents to report their concerns taking into consideration their needs and potential barriers relating to age, sex, gender reassignment, disability, sexual orientation, marital status including civil partnerships, pregnancy and maternity, race, religious and cultural beliefs.
- Consider other characteristics which could lead to discrimination or exclusion, such as health, socio-economic background, literacy, caregiving responsibilities etc.
- Understand the cultural implications and barriers to reporting ASB and hate incidents.
- Ensure customers from all backgrounds, regardless of their circumstances, have equal access to our service, this includes providing information in different formats if needed.
- Ensure customers are treated as individuals and with fairness and respect.

All customers, colleagues and others will be treated with fairness and respect. Customers and others will be supported to provide feedback in a method that is suitable for them, and reasonable adjustments will be made to ensure compliance with the Equality Act 2010.

An Equality Impact Assessment has been completed to ensure compliance with Aspire's Equality and Diversity Policy. Further details can be found in our Equality and Diversity policy which is available on request.

Where people have specific needs to access the policy, or progress a matter via the policy, reasonable support would be given. By way of example, this may include the provision of the policy in alternate forms e.g. braille, large print or audio versions and ensuring that the process followed was reasonably adapted to reflect the needs of the individual.

5. RESPONSIBILITIES OF EMPLOYEE

To comply with the policy, and related procedures attend all compulsory training relating to ASB and hate incidents.

Our agreed safeguarding procedures will be followed when investigating reports of ASB and hate incidents.

To ensure continuous professional development through an awareness of changes in the housing sector relating to ASB and hate incidents and seek additional or specific training and/or advice or support if needed.

Colleagues working with customers affected by ASB and hate incidents will always follow our Lone Working Procedure.

Performance Monitoring and Review: Reports of ASB and hate incidents will be recorded on our CAS case management system. We will ensure that ASB cases are actioned, and case managed within target timescales through monitoring of compliance with the action plans, regular case audits and feedback from customer complaints. Monthly performance reporting takes place which includes trend analysis to help us identify areas of concern/hotspots for ASB and hate incidents to support intervention and prevention initiatives, working in collaboration with our partners.

6. RESPONSIBILITY OF ASPIRE

To monitor the impact of this policy regarding continuous improvement and ensuring it meets its aim of minimising and addressing ASB and Hate Incidents.

We will have procedures and processes in place and provide training to ensure the successful implementation of this policy.

We will work with our partners and have range of support services to assist customers when required.

Complaints: Customers reporting ASB and hate incidents who are unhappy about the service they have received regarding the investigation of ASB reports can pursue this through our complaints' procedure.

This policy will be reviewed in line with its normal schedule of reviewing policies.