

ANTI SOCIAL BEHAVIOUR (ASB) POLICY FOR SHG MANAGED AND PRIVATE SECTOR NEIGHBOURHOODS

22 September 2021

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| Prepared by: | Liz Smith |
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| Lead officer: | Jane Allen |

1 TITLE

1.1 Anti Social Behaviour (ASB) Policy

2 INTRODUCTION

2.1 SHG Group (SHG) is committed to taking positive action in conjunction with partners, to deal with all forms of Anti Social Behaviour (ASB). The overall strategic direction for tackling ASB in Stockport is agreed and monitored through the Safer Stockport Partnership (SSP). SHG is a key partner within this, helping to deliver some of the overarching priorities set out in the SSP Partnership Plan. SHG actively participates in a number of Sub-Groups of the SSP which monitor crime and incident patterns, agree partnership approaches to tackling them and ensure that vulnerable victims and witnesses are supported

2.2 Stockport Council has commissioned SHG to deliver ASB services in the private sector in Stockport. This provision includes responding to, investigating and taking appropriate action in reports of ASB in residential communities across the whole of Stockport. SHGs Safer Neighbourhoods Service is quality assessed by RESOLVE ASB and is committed to ensuring services for tackling ASB meet and exceed the standard set out in the Accreditation Scheme.

2.3 This policy sets out the ways in which SHG will deliver this service for the Council by working with residents, other departments and partner agencies. The overall purpose of the ASB Policy is to:

- Aim to prevent incidents and the reoccurrence of ASB in SHG' neighbourhoods
- Ensure that ASB is tackled efficiently and effectively using a variety of approaches.
- Work with vulnerable residents, both victims and perpetrators, and support agencies to ensure that ASB is tackled and not tolerated
- Deliver excellent support services for both victims and perpetrators
- Work proactively with partner agencies, seeking support from other agencies and organisations to develop the most effective approach and resolution to ASB

3 DEFINITION OF ASB

3.1 SHG defines Anti Social Behaviour as:

- “any act which caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator” (Crime and Disorder Act 1998)

“anything which causes or is likely to cause a nuisance annoyance or disturbance to any person in the local area” this applies to members of the household, visitors and pets (Stockport Council’s Tenancy Agreement 2004)

- conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,

Or

- conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises,

Or

- conduct capable of causing housing-related nuisance or annoyance to any person.(ASB, Crime and Policing Act 2014)

3.2 SHG will not tolerate any action or omission, deliberate or otherwise, which interferes with another person’s peace, quiet or security. SHG expects residents living within its neighbourhoods to be good neighbours.

4 STRATEGIC LINKS

4.1 SHG does not operate in isolation and this Policy has been written to take account of obligations imposed by National legislation and other strategies. In particular:

- Housing Acts 1985 & 1996
- Crime and Disorder Act 1998
- ASB, Crime and Policing Act 2014
- Serious and Organised Crime Strategy 2018
- Serious Violence Strategy 2018
- Offensive Weapons Bill¹
- Housing Act 2004
- Race Relations Act 1976
- Environmental Protection Act 1990
- Equality Act 2010

4.2 SHG ASB Policy also complies with and compliments Stockport Council’s strategic objectives, policies and procedures and the ASB Strategy 2019-22 which to SHGs missions which is “One team, transforming lives”. Underpinning the Group mission are SHG’s aims

¹ Awaiting Royal Assent at 1st May 2019

and the ASB Policy, Procedure and Strategy 2019-22 clearly links to these, specifically:

- Engage residents and communities
- Provide comfortable, affordable homes
- Deliver thriving, safe and sustainable neighbourhoods
- Support the Council to meet its aims in Stockport

4.3 In addition to being linked to the Council's priorities, the ASB Policy has clear links to many of SHG' strategies, policies and action plans, in particular:

- Business Plan 2023-26
- Delivery Plan 2021-26
- Tenancy Breaches Policy
- ASB Policy
- Domestic Abuse Policy
- Hate Crimes Policy
- Homelessness Strategy
- Allocations Policy
- Inclusive Growth Strategy
- Greenspace Strategy
- Aging Well Strategy
- Neighbourhood Action Plans
- Asset and Sustainability Strategy 2011-2041
- Value for Money Strategy
- Customer Voice and Influence Strategy
- Safeguarding children and adults at risk Policy
- Eyes Wide Open Statement
- Tenancy Contact Policy
- Neighbourhood Inspection Policy

5 POLICY STATEMENT

5.1 SHG provides a tenure neutral service and seeks to create sustainable neighbourhoods whereby people from all different backgrounds and groups can exist side by side within a culture of co-operation and respect. By responding positively to incidents of ASB, SHG will develop a culture of zero tolerance to such incidents, thus combating exclusion and enabling all people to play a full part in society.

5.2 SHG is committed to delivering a range of community and school based projects to provide positive diversionary activities such as detached youth work, holiday clubs, youth clubs etc, and deliver activities designed to increase self-esteem, confidence and aspirations amongst young people to reduce the chance of them becoming victims of or involved in ASB.

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- 5.3 SHG will impress upon residents at sign up the rights and responsibilities of tenants and leaseholders and what the implications of causing ASB are.
- 5.4 Victims can report ASB by visiting SHG offices in person or by contacting SHG via telephone, email, or reporting via the website
- 5.5 SHG treats all reported incidents of ASB, hate and domestic abuse very seriously and will take immediate and appropriate action whenever incidents are reported or identified. SHG operates a tenure neutral service.
- 5.6 A harm centred approach will be followed ensuring that residents have access to appropriate support services and feel able to work with SHG staff in the investigation of the incident.
- 5.7 When a complaint of ASB is made, SHG will record the complaint, assess the type of ASB being complained of and apply one of the following categories.
- CAT A – URGENT e.g. race/hate crime/threats or use of violence
 - CAT B – PERSISTENT e.g. drug related activity, alcohol related ASB
- 5.8 SHG will complete a Complainant Risk Assessment Matrix (RAM) to establish and identify vulnerable complainants and apply a vulnerability category, which will then determine the level of support that customer may need during the case.
- Level 1 – High vulnerability
 - Level 2 – Medium vulnerability
 - Level 3 – Low vulnerability
- 5.9 All category cases will be dealt with by a named Safer Neighbourhoods Officer taking the approach to tackle ASB using prevention, intervention, support and enforcement action, with the latter being explored only when previous approaches have failed to stop the behaviour. Any action SHG takes in a case is incremental in nature with the overarching aim of stopping the behaviour, whilst preventing homelessness. Supporting perpetrators to stop causing ASB through support and intervention is always the first stage and the preferred outcome.
- 5.10 SHG who will work to prevent homelessness and help residents to remain in their home by facilitating the implementation of increased security measures such as sanctuary scheme works, fireproof letterboxes, additional locks etc.

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- 5.11 Where it is believed any child or vulnerable adult is at risk SHG will follow the Safeguarding children and adults at risk policy and procedure, taking necessary action.
- 5.12 SHG will thoroughly investigate all complaints and gather obtain evidence where it exists from complainants, other residents and partner agencies including the Police and also through the use of Noise Monitoring Equipment, CCTV and Professional Witnesses² as appropriate.
- 5.13 SHG will consider all the options available when investigating and taking action in a case of ASB and will use the legislative framework to ensure the protection of victims and to stop the incidents repeating. The tools available, some of which are delivered in partnership with other agencies, include:
- Warnings
 - Mediation
 - Parenting Contracts
 - Acceptable Behaviour Contracts
 - Noise Abatement Notices (SHG tenants only)
 - Injunctions
 - Criminal Behaviour Orders
 - Suspension of Right to Buy Orders (for SHG tenants only)
 - Extension of Introductory & Starter Tenancies (SHG tenants only)
 - Demotion Orders (for SHG tenants only)
 - Possession Proceedings (for SHG tenants only)
 - Closure Orders
 - Community Protection Notices
 - Family Intervention Tenancies
- 5.14 SHG will issue new tenants with an introductory/starter tenancy agreement which will become secure or assured after 12 months providing it has been adequately maintained within that time. Secure and Assured tenancies will only remain as such as long as there have been no incidents of ASB which result in a possession order being obtained. SHG recognises that eviction is a useful tool to tackle ASB and will use the new discretionary and absolute grounds for possession when appropriate. However in order to promote social inclusion and prevent homelessness, eviction to resolve ASB will only be used as a last resort.
- 5.15 SHG will work with other agencies and specialist organisations to ensure that appropriate best practice is employed in the prevention ASB. Where perpetrators of ASB show a willingness to address any underlying issues which cause their behaviour, then SHG will offer assistance and support in this. This can include, but is not limited to,

² Noise monitoring/CCTV and professional witnesses applies to cases in SHG Managed neighbourhoods only

referrals to the Positive Engagement Service and Housing Support Service.

- 5.16 SHG will support perpetrators within its own managed neighbourhoods to comply with any positive requirement aspect of court orders by referring residents to the Independent Living Service. The service will work intensively with residents providing one-to-one support, assistance to attend any appointments as necessary and liaison with partner, voluntary and private sector agencies to access specialist support services to help with compliance and bring about long-term positive changes to behaviour.
- 5.17 SHG employees will be given appropriate training that covers the impact of, and SHG' response to, ASB. Staff will be trained to recognise ASB and how to challenge and respond to it. In addition support and guidance will be given to employees who may be a victim of ASB incidents.
- 5.18 SHG will not condone ASB perpetrated by employees under any circumstances, or treat such incidents as a purely private matter. SHG will treat any allegation, disclosure or conviction of an ASB related offence on a case-by-case basis.
- 5.19 SHG does not condone ASB perpetrated towards its employees, or those working on its behalf, in any circumstances. Appropriate action under the "Abusive Customer Procedure" will be taken where incidents occur.
- 5.20 SHG will provide a confidential service unless child protection or other safeguarding issues are suspected.
- 5.21 Under the Crime and Disorder Act 1998 information can be shared between agencies to prevent and detect crime and disorder, including anti social behaviour and other behaviour adversely affecting the local environment. SHG will share information with partners in line the Safer Stockport Partnership information sharing protocol.
- 5.22 SHG will meet any access or cultural needs of any customer accessing the service, for example providing an interpreter or assisting those with low literacy or disabilities.
- 5.23 SHG will map and monitor ASB incidents to identify any trends using the ASB Case Management System. Using this information SHG will undertake targeted campaigns using a project based approach to tackle issues, raise and increase confidence within the community etc.
- 5.24 SHG will publicise any positive action taken to resolve ASB wherever possible. Working with partners, this may include press releases to local newspapers, radio or television or other publicity materials such as social media, leaflets and posters in the locality of where legal action has been successful.

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- 5.25 SHG will work positively with the SSP when residents access the ASB Case Review process, working together to try and resolve the complaint of ASB. SHG will do this by talking about the problem, sharing information and acting in partnership to direct resources to try to resolve the complaint. Residents can access Stockport's Case Review process by telephoning the Council on 0161 474 3143.

6 EQUALITY IMPACT ASSESSMENT

- 6.1 An Equality Impact Assessment of this policy has been undertaken and no adverse impacts have been identified.

7 OWNERSHIP, MONITORING & REVIEW

- 7.1 The ASB Policy is owned by the Directorate of Operations, but there is responsibility in each Directorate for the implementation of the policy. The policy will be reviewed every three years, or when there's a significant change in legislation (whichever is soonest) and any enquiries relating to the policy can be directed to the Head of Safer Neighbourhoods and/or the Policy and Performance Officer
- 7.2 SHG will set annual targets for key ASB performance indicators which are challenging and these will be monitored via the Operations Management Team, Wider Leadership Team and Members Committee.
- 7.3 Performance information relating to the use of legal actions and satisfaction levels and will be publicised on the website and in the customer newsletter Stockport at Home. Indicators that will be monitored include but are not limited to:
- Number of New cases arising
 - Percentage of cases successfully resolved.
 - Satisfaction with the outcome of the case
 - Satisfaction that residents were kept up-to-date
 - The time taken to resolve ASB
 - The use of legal action to resolve ASB cases.
 - Number of cases supported by the Positive Engagement Service (PES)
 - Number of cases successfully resolved by the PES
 - Number of cases that avoided legal action due to support from the PES.