

Anti-Social Behaviour Policy

Policy Statement

Purpose

Orwell is committed to the elimination of all forms of anti-social behaviour (ASB) and neighbour nuisance in the areas in which we work. We are committed to resolving ASB and neighbour nuisance as early as possible through timely and appropriate intervention.

Legal Obligations

Relevant legislation includes but is not limited to:

- Housing Acts 1985 and 1988
- Crime and Disorder Act 1998
- Anti-social Behaviour, Crime and Policing Act 2014
- Protection from Harassment (Amendment) Act 2019
- Equality Act 2010
- Data Protection Act 2018

Orwell's Commitment

We believe that all customers have the right to the peaceful enjoyment of their home, and that communities have the right to live free from threats, risk, nuisance, or intimidation.

We will not condone or tolerate any form of ASB from our customers, employees or from representatives acting on our behalf.

ASB issues and reported nuisance involving Orwell residents will be investigated if reported to us by a resident or any other third party.

We will treat people fairly and impartially, ensuring that any action taken is proportionate and reasonable in the circumstances.

We will treat every case separately and consider the needs of every customer, tailoring our response accordingly.

Anti-social behaviour (ASB) is defined as:

'Conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person' (Antisocial Behaviour Act 2003 and Police Reform and Social Responsibility Act 2011).

Or

'Any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life' (Home Office)

The definition of ASB is open to interpretation based on personal tolerance and perceptions, however examples include, but is not limited to:

- noisy, rowdy, or inconsiderate neighbours
- verbal abuse, harassment, intimidation, or threatening behaviour
- hate related incidents.
- noise used to harass or intimidate.
- drug or substance misuse and dealing
- alcohol related nuisance
- vandalism and damage to property
- misuse of communal areas, public space or loitering
- environmental damage including littering, dumping of rubbish and fly tipping
- prostitution related activity
- begging
- fireworks misuse
- animal problems
- vehicle nuisance

Low-level neighbour disputes and day-to-day living noise which is not excessive or unreasonable is not classed as anti-social behaviour, however our procedure will include how Orwell will respond to neighbour nuisance.

This may include, but is not limited to:

- children and young people gathering socially, unless they are rowdy, inconsiderate and being intimidating to individuals.
- children playing in the street or communal areas – unless they are causing damage to properties.
- parking related matters
- DIY and off-road car repairs unless these are taking place late at night or early in the morning.
- noise caused by everyday living (doors opening/closing, walking around inside the property, toilets flushing, household appliances)
- religious or cultural practice

We recognise that left unchallenged, anti-social behaviour, hate crime and neighbour nuisance can have a significant negative impact on the lives of our residents and the communities in which they live.

We will:

- make use of the powers, orders, and mechanisms available to us to deal with anti-social behaviour and hate crime.
- participate in joint working with partner agencies.
- place victims and witnesses at the centre of our procedures offering our support and that of external agencies as required.

- act quickly to investigate and act upon all reported cases.
- use all appropriate measures including those provided by law and those recommended as good practice.
- maintain effective communication and the provision of regular updates to victims through a named staff member dealing with a particular case.

Using these methods our aim is to deliver a proportionate and flexible response to anti-social behaviour, hate crime and neighbour nuisance.

We shall endeavour to prevent ASB or neighbour nuisance from occurring by:

- offering or facilitating support to tenants at risk of breaching their tenancy.
- providing environments that minimise the opportunity for committing ASB and by promoting a sense of community.
- supporting complainants, victims, and potential witnesses.
- ensuring we gather and respond to feedback about our approach.

A complaint about anti-social behaviour from an Orwell resident would not be regarded as a complaint, unless the complaint is about the way in which Orwell has handled the anti-social behaviour case.

Related Policy and Procedures

This policy should be read in conjunction with the following.

- Tenancy & Lettings Policy & Procedures
- Data Protection Policy and Procedures
- Complaints, Compliments and Compensation Policy
- Domestic Abuse Policy & Procedure
- Safeguarding Policy & Procedure