

Anti-Social Behaviour Policy

Summary

This policy outlines Portsmouth Homes' commitment to addressing anti-social behaviour (ASB) to ensure residents feel safe in their homes and communities. It defines ASB, describes reporting procedures, responsibilities, and actions taken to prevent and manage ASB.

We are members of the Community Safety Partnership and will utilise appropriate frameworks when working with partners, assessing, managing risk and use their individual powers to help resolve ASB.

Effective date

20 March 2024

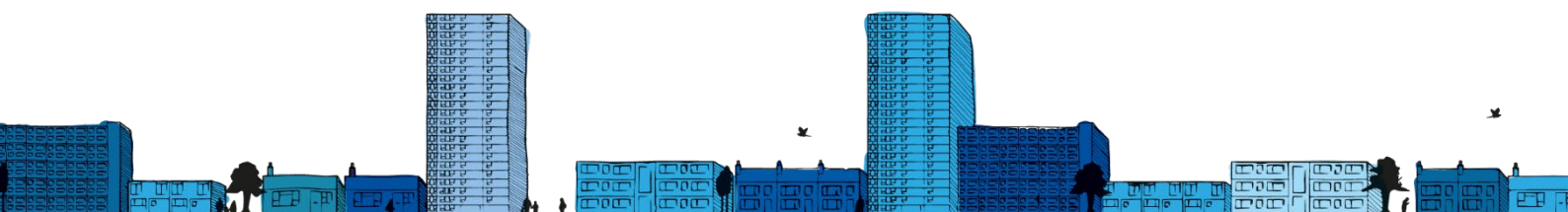
Review

Latest Review Date: 10 December 2025

We will review this Policy every 3 years or when there has been an update to legislative, regulatory, best practice or operational changes.

Version

Version 1.1



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Scope

This policy applies to reports of anti-social behaviour (ASB), and it covers all incidents:

- Involving Portsmouth Homes tenants, leaseholders, shared owners or members of their household
- That occur within a neighbourhood in which we manage properties and the ASB involves Portsmouth Homes residents or,
- That take place at our 'workplace', including staff and contractors acting on our behalf

We recognise that Hate crimes and Hate Incidents can also be anti-social behaviour. Please see our separate Hate Crime and Hate Incidents Policy.

Any reference in this policy to 'we', 'our' or 'us' refers to Portsmouth Homes.

Any reference in this policy to 'tenant', 'customer' or 'resident' refers to a Portsmouth Homes tenant, leaseholder or shared owner.

Purpose

This policy outlines how we are committed to preventing and addressing ASB in your home and community.

The purpose of this policy is to:

- Set out our approach to how we work with residents to manage and resolve ASB in their local area.
- Support and empower residents to report issues as they happen.
- Work with us and relevant agencies to reduce the risk of more incidents.

We will:

- Provide the advice and support needed for residents to sustain tenancies and feel safe in their home.
- Signpost residents to appropriate specialist agencies, where appropriate.
- Use all tools available to us to resolve incidents of ASB.
- Work in partnership with other external organisations and specialist agencies, where appropriate.
- Take proportionate legal and tenancy-based action, in line with our responsibilities as a social housing landlord.
- Treat everyone fairly and encourage others to do the same.
- Make reasonable adjustments to our service when we identify additional needs in a household, in line with our policies.



Definitions

What is Anti-Social Behaviour (ASB)?

The Anti-social Behaviour Crime & Policing Act 2014 defines ASB as conduct:

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

We have adopted this definition and we recognise that legislation and community expectations can change, and this policy will be updated accordingly to remain compliant and responsive.

We will use our professional judgement and look at all reports of ASB on a case by case basis, Examples of ASB (some examples of ASB are listed in our tenancy, leasehold, occupancy and license agreements) include, but are not limited to:

- Unreasonable noise
- Nuisance / harassment
- Verbal or physical abuse
- Causing damage or graffitiing any of our properties or within the neighbourhood
- Intimidating behaviour
- Hate crime and hate incidents
- Substance misuse
- Drug dealing
- Cuckooing
- Gang crime
- Exploitation

The following are not defined as ASB but may be managed under this policy if they form part of a pattern of behaviour or are linked to any of the above examples of ASB (This list is not exhaustive.)

- Household noise, e.g. vacuuming, children playing inside, children crying, occasional door slamming
- Smells from cooking
- One off gathering including BBQs (providing they don't cause an unacceptable disturbance)
- DIY within sociable hours
- Noisy plumbing or appliances



- Parking disputes (unless there is physical or verbal intimidation)
- Children playing
- Feeding birds or other wildlife

What is a Hate Incident and Hate Crime?

Hate Incident

A hate incident is any act verbal, written, physical, or online that is perceived by the victim or any witness to be motivated by hostility or prejudice based on:

- Race
- Religion or belief
- Sexual orientation
- Disability
- Transgender identity

These incidents may not break the law but can still cause significant harm, distress, or fear. Examples include name-calling, offensive jokes, or social exclusion.

Hate Crime

A hate crime is a **criminal offence** that is similarly motivated by hostility or prejudice toward one of the protected characteristics listed above. It includes crimes such as:

- Assault
- Criminal damage
- Harassment or stalking
- Threats of violence
- Public order offences

The distinction lies in **criminality**:

If the act **breaks the law**, it becomes a hate crime.

If it **does not**, but is still motivated by hate, it remains a hate incident.

We will follow relevant policies, such as Hate Crime and Hate Incidents, Anti-Social Behaviour, Domestic Abuse, and Safeguarding, and apply the appropriate procedures as required.

Other definitions

- Accused (an alleged perpetrator) – person accused of carrying out ASB
- Complainant – person making the complaint of ASB



- Victim – a victim is a person who has experienced nuisance, harassment, alarm or distress or any other ASB
- Witness – a person who observes a crime or incident that has taken place

How to report anti-social behaviour (ASB)?

ASB can be reported to us by a resident, third parties or by a member of staff / contractor.

In situations where someone's life is in danger, there is an immediate threat of violence, a crime is in progress, or a person is seriously ill or injured and needs urgent help, **call the police on 999** before contacting us.

For non urgent reports to the Police, call 101 or [Report a crime | Hampshire and Isle of Wight Constabulary](#).

Our responsibilities

We will deal sensitively with all reports of ASB and will remain professional and non-judgemental when working with both the complainant and accused.

We recognise that it is a big step to report ASB. We will take into consideration the diverse needs of our residents in line with our Equality, Diversity and Inclusion policy and Communication and Reasonable adjustment policy.

We take a person-centred and joined up approach to tackling ASB, including prevention and early intervention, safeguarding vulnerable people, commitment to multi-agency working and tailoring approaches in line with best practice.

We understand that those reporting ASB may be concerned about their information being disclosed to third parties. We will treat all information we receive in confidence and will seek consent before sharing it in a form that is likely to identify its source. However, in some cases, residents need to be aware that it may be apparent to the accused who the complainant is.

In some instances, we are legally obliged to share information with a third party e.g. Where a child or a vulnerable adult may be at risk. In these cases, we may be required to share information without seeking consent following relevant legislation and policies.

We recognise that some accused may have additional needs and need help to deal with the underlying causes of their behaviour and will signpost and work with specialist agencies to assist them in sustaining their tenancy.

We will work in partnership with other agencies and organisations to prevent and reduce ASB and to ensure the best outcome for everyone concerned.

We will manage expectations, and this can sometimes result in having difficult conversations. We will discuss /review the risk assessment and action plan, ensuring key updates are communicated.



If we decide that a report is not ASB, we will advise the complainant of this decision and may still be able to help or offer advice on alternative routes / specialist agencies to resolve the issues raised.

Where there is deemed a risk of harm, we will offer protective measures to help those at risk and feel safer in their home.

Repairs linked to ASB will be prioritised and handled according to the Repairs and Maintenance Policy.

We will complete necessary repairs and will not usually charge tenants if the damage was caused by abusive behaviour.

We will respond to reports of ASB consistently, which could include:

- Interviews
- Risk assessments
- Home Visits
- Action Plan
- Regular communication
- Multiagency risk management meetings (MARM)
- Mediation

Whilst many cases of ASB can be resolved informally through early conversations and mediation, there may be times when we need to take a more formal approach.

We will follow relevant policies, such as Hate Crime and Hate Incidents, Domestic Abuse, and Safeguarding, and apply the appropriate procedures as required.

We will report on ASB data to comply with Home Office reporting requirements.

An action plan will be agreed with affected parties and reviewed on a regular basis however, we will ensure that any actions are appropriate and proportionate. In some circumstances where there is considerable risk of harm, we may consider a priority move in line with our lettings policy.

We ensure that the wider community is aware of the successful outcomes of our work to prevent and tackle ASB through effective publicity.

We decide where to publicise action we have taken on a case by case basis. We will always balance the rights of the individual against those of the community.

We record and monitor incidents of ASB and use this information alongside customer feedback to monitor our performance. We continuously improve our range of ASB services, by listening to our residents and other key partners, through customer feedback.

At times, we may also contact residents to ask them about their experience to support ongoing improvement of the service.



Your responsibilities

What we expect from our residents:

- We expect residents to take responsibility for their own behaviour and the behaviour of their household and visitors. This includes any damage caused to your home or Portsmouth Homes property in line with your tenancy / leasehold agreement.
- Try to resolve minor issues themselves through polite conversation and compromise where appropriate, and actively encourage them to do so in the first instance.
- Be a thoughtful and considerate neighbour and treat others with respect and dignity.
- Communicate respectfully, contribute to a positive environment, avoid escalation, have compassion.
- Report ASB promptly, even if it does not directly affect you.
- Consider mediation to resolve complaints and disputes, where appropriate.
- Make us aware of any support or additional needs in the household as early as possible.
- Engage and communicate with us.
- Keep records of incidents and work with us to gather evidence as appropriate.
- Report incidents to the police and other relevant partners.
- Complete a Customer Satisfaction Survey following the case closure.

What action do we take to reduce and prevent ASB

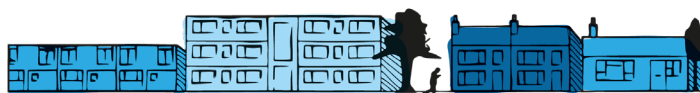
We recognise that by addressing ASB early, it is more likely to be able to stop problems escalating in the majority of cases.

We provide staff with training, clear guidance / framework, policies and procedures so that they can deal with and recognise cases of ASB effectively.

They will use the appropriate enforcement tools and are aware of the wider issues and underlying causes associated with ASB, including equality, diversity, mental health including capacity, safeguarding, Hate Crime / Incidents and domestic abuse.

Preventing ASB happening in the first place will always be better than trying to stop it once it has occurred. Wherever possible we will use a range of measures to prevent this. For example:

- Ensuring external spaces have defined uses.
- Producing clear sight lines with well-lit routes to a building entrance.
- Providing car parking, storage and visible play spaces.
- Keeping estates clean and tidy to encourage respect for the environment.



- We support the provision of free access to adventure playgrounds and youth facilities in many of our communities.

Other examples of how we prevent and reduce ASB include:

- Spending time on our estates and in our communities to identify any potential triggers for ASB.
- Having effective pre-tenancy checks.
- Setting out clear expectations on behaviour when new residents sign their tenancy agreements.
- Assess suitability for Housing of a tenant who has previously been evicted because of ASB.
- Working in partnership with the police, and other agencies on preventative strategies and planned solutions.
- Identifying support needs of prospective and new residents and working with partners to meet that need.
- Having clear and specific tenancy clauses on hate crime and hate incidents, illegal drug use, distribution, and harassment.
- Using permanent or mobile CCTV where appropriate.
- Using noise apps, diary sheets where appropriate.
- Funding local projects and initiatives through our community grants where possible.

We will take a balanced approach to preventing and reducing ASB; any action we take will be based on the circumstances of each case and will be proportionate to the behaviour.

Examples of the informal actions we may take include:

- Providing advice and assistance at an early stage including encouraging a neighbour to find their own solution.
- Interviewing to understand the situation and explore resolution options.
- Verbal and written warnings where necessary.
- Making referrals to support services for both victims and perpetrators.
- Using mediation services at an early stage and where appropriate.
- Using Acceptable Behaviour Agreements.
- Using Good Neighbour Agreements.
- Providing diversionary activities particularly for young people, to reduce the risk of repeat incidents.

When we close a case?

There is no set time frame for closing a case; it will depend on the nature of the issues involved.

Examples of reasons for closing a case include:



- The ASB has been resolved or it has stopped
- After an initial investigation, the behaviour cannot be reasonably regarded as ASB
- There is no or insufficient evidence to take action
- The complaint is withdrawn by the one person who had reported it.
- We believe that we are not the right resource to investigate the ASB issue and have referred the complainant to the relevant external organisation.

We will always inform the complainant of our intention to close a case and explain our reasons for doing so.

If a case has been closed, it can be re-opened at a later date if more evidence or information is made available.

Young people (age 10-17)

Where the accused is aged between 10 and 17, their parents or carers will be encouraged to attend any meetings to which the accused is invited to discuss their conduct. Where practicable and / or appropriate, we will seek to address the underlying causes of the behaviour by facilitating support through partnership working, including early intervention, education and constructive engagement

Where a young person is involved in a serious and / or persistent ASB we may consider taking legal action against them and/or against their parent / carer (if our tenant).

Working in partnership

When a referral is made to another specialist agency, the reason for the referral is provided. If sharing information is not a legal requirement, consent is obtained from the resident. If we do involve agencies, we will remain responsible for managing the case and will provide updates as agreed in the action plan.

We collaborate with other specialist agencies to prevent and reduce ASB and work towards achieving positive outcomes for all involved. Examples of this include:

- Arranging and / or participating in multi-agency meetings to resolve complex cases
- Regularly participating in local Community Safety Partnership meetings with the police and other agencies
- Developing strong working relationships with the local police, probation and environmental health (statutory threshold) and support services
- Participating in local procedures for an ASB case Review. The ASB case review is designed to give victims of ASB the right to a review of their case, bringing together partner agencies to find a joined-up solution or identify additional tasks that may bring about a resolution.
- Report incidents to Building Safety Regulator as required ie. Mandatory Occurrence Reporting for Tall Buildings



We also sign up to local information sharing protocols and share information with other agencies where relevant and where the law allows us to.

Case Review and appeals

ASB Case Review

Complainants and communities have the right to request a review of their case where a local threshold is met, and to bring agencies together to take a joined up, problem-solving approach to find a solution for the victim.

The Threshold is defined by the local agencies, but not more than three complaints in the previous six-month period. It may also take account of:

- the persistence of the ASB;
- the harm or potential harm caused by the ASB;
- the adequacy of the response to the ASB.

The case review will be undertaken by the relevant partnership agencies. They will share information related to the case, review what action has previously been taken and decide whether additional actions are possible.

The local ASB Case Review procedure should clearly state the timescales in which the review will be undertaken;

- The review will see the relevant bodies adopting a problem-solving approach to ensure that all the drivers and causes of the behaviour are identified and a solution sought, whilst ensuring that the victim receives appropriate support and is kept updated of progress;
- The victim is informed of the outcome of the review. Where further actions are necessary an action plan will be discussed with the victim, including timescales

Additionally, residents who have been involved in an ASB case handled by us who want to make a complaint regarding how the complaint has been handled, should contact our Landlord Complaints team.

ASB Quarterly Panel

The panel will be chaired by the Head of Community Safety and includes appropriate Heads of Service together with appropriate representation and other directorates as appropriate. The panel will meet quarterly.

The panel will review and analyse all data in relation to ASB across Portsmouth Homes to ensure cases are managed consistently and are appropriately resourced, complying with all legislation and providing appropriate information to residents, staff and specialist agencies.

The panel will have oversight of the process, changes to the legislation and effectiveness of this policy.



The panel will review the following key areas and implement changes required to processes, policies or communication to residents as appropriate:

- Our response to ASB, surveys undertaken and data to proactively manage all ASB.
- Training provided to staff and information provided to residents, if applicable.
- Record all ASB complaints to review any learning, policy and preventative work.

Enforcement and legal action

Our primary aim is to prevent or help resolve ASB. However, in some cases enforcement action will be appropriate in order to resolve it. In line with legislation, policies and processes, there are a number of enforcement routes available, which could include, but not limited to:

- Eviction proceedings using either discretionary or mandatory grounds
- Civil Injunctions
- Community Protection Warning (CPW) and Community Protection Notices (CPN)
- Possession Orders
- Closure Orders (Full and partial)
- Forfeiture of lease
- Dispersal orders

The type of action we take will be determined on a case-by-case basis, taking all of the relevant circumstances into account, having due regard to the Human Rights Act 1998 and Equality Act 2010.

Legal proceedings are started after appropriate investigations have been carried out and all alternative approaches have been considered.

There may be situations where other agencies have the best tools to help resolve the ASB and in these cases, we will work with that specialist agency to support their specific action.

Your voice

We provide tenants a wide range of meaningful opportunities to engage, influence and scrutinise the Landlord Strategies, policies and services, to include participation in regular resident meetings and give feedback on services and policies.

If you would like to be included in future resident engagement focus groups and would like to know how to get involved, please contact us for more information:

You can contact our team by:

- Email: housing.engagement@portsmouthcc.gov.uk
- Phone: 02392 834835
- Website: visit the [Resident engagement and community resources on our website](#)



What have we done to make sure this Policy is fair?

We completed an Integrated Impact Assessment (IIA) to consider the positive and negative impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#). This Policy should have direct and positive equality and diversity impacts.

Regulation and legislation

We recognise the variety of legislation, and we will continue to monitor relevant legal guidance. The list below reflects some of the existing legal framework and relevant publications:

- [Equality Act 2010](#)
- [Regulation of Investigatory Powers Act 2000](#)
- [Police Reform Act 2002](#)
- [Police and Justice Act 2006](#)
- [Anti-terrorism, Crime and Security Act 2001](#)
- [Racial and Religious Hatred Act 2006](#)
- [Care Act 2014](#)
- [Mental Health Act 2007](#)
- [Housing Act 1985](#)
- [Housing Act 1996](#)
- [Housing Act 2004](#)
- [Crime and Disorder Act 1998](#)
- [Human Rights Act 1998](#)
- [Data Protection Act 1998](#)
- [Data Protection Act 2018](#)
- [Local Government Act 2000](#)
- [Freedom of Information Act 2000](#)
- [Anti-social Behaviour Act 2003](#)
- [Anti-social Behaviour, Crime and Policing Act 2014](#)
- [Protection from Harassment Act 1997](#)
- [Neighbourhood and Community Standard](#)
- [Regulatory standards for landlords](#)
- [Social Housing \(Regulation\) Act 2023](#)



Related documents

This policy should be read in conjunction with:

- [Portsmouth Homes policies, strategies and reports](#)
- Tenancy Agreement / Leasehold Agreement

How to feedback

If you have any questions around the policy or would like to know more about its application, please contact the relevant service in the first instance.

You can get this policy in large print, braille, audio or in another language by contacting your Housing Office. More information is available [translation, interpreting and audio information](#).

Compliments

To help us provide the best service we can. We would like to hear customer views on the services that they use. If the customer is pleased with a member of staff or service, please let us know.

- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk

Complaints

If a customer is unhappy, they can refer to our Landlord Complaints Policy.

- Online complaint form at [Make a housing complaint](#)
- Telephone: 02392 606383
- Email address: HNBLandlordComplaints@portsmouthcc.gov.uk

Housing Ombudsman Service

If a customer is unhappy, they can contact the Housing Ombudsman Service for advice and guidance at any time.

- Online complaint form on [the Housing Ombudsman Service website](#)
- Telephone: 0300 111 3000
- For more information, visit [Housing Ombudsman's Complaint Handling Code](#)

