



# Anti-Social Behaviour Policy

## 1.0 Introduction

- 1.1 This Policy outlines how we deal with anti-social behaviour (ASB), including hate incidents or crimes. It applies to all residents, colleagues, and contractors.
- 1.2 This Policy covers incidents:
  - Involving a complainant and/or other party who live in, or are visiting, a home managed by us
  - That occur within a neighbourhood in which we manage homes
  - That take place at our offices.
- 1.3 This Policy doesn't cover:
  - Domestic abuse (see our [Residents Domestic Abuse Policy](#))
- 1.4 The terms 'you' and 'your' in this Policy mean residents or anyone affected by ASB. The terms 'we', 'our' and 'us' mean Southern Housing. The term 'other party' means the person reported as causing the ASB.

## 2.0 General principles

- 2.1 We expect you, and anyone else whose behaviour you are responsible for not to commit (or encourage) ASB, hate incidents, or crimes.
- 2.2 We're keen to ensure frictions between residents aren't inappropriately handled as ASB.
- 2.3 We provide colleagues with training and clear guidance so they can:
  - Identify ASB issues
  - Support those harmed
  - Take appropriate and effective action
  - Remain aware of the wider issues associated with ASB, including hate crime, safeguarding and domestic abuse.
- 2.4 If a resident displays aggressive or abusive behaviour towards Southern Housing colleagues, or people working on our behalf, we'll also follow our [Unacceptable Behaviour Policy](#).

- 2.5 We work in partnership with other agencies, such as the police, and use a range of preventative measures, early intervention, and legal action to tackle ASB.
- 2.6 We'll deal with ASB regardless of tenure. We may be restricted on the action we can take based on the tenure type.
- 2.7 We'll always contact you before we close a case and explain our reasons.
- 2.8 We'll follow our [Safeguarding Adults Policy or Safeguarding Children Policy](#) if there are concerns for the safety of someone vulnerable.

### 3.0 What is anti-social behaviour?

3.1 We use the [Anti-social Behaviour, Crime and Policing Act 2014](#) definition of anti-social behaviour (ASB), which is 'conduct that:

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

### 3.2 What do we consider to be ASB?

This is not an exhaustive list and anti-social behaviour is not limited to these examples.

Examples of behaviour we consider to be anti-social:	Examples of behaviour we do not consider to be anti-social:
Excessive noise	Babies crying
Rowdy behaviour and drunkenness	Cooking odours
Persistent dog barking or uncontrolled animals	One off parties/BBQs, where there's no evidence problems will re-occur
Throwing things from windows or balconies	Clash of lifestyles including cultural differences or different working patterns
Dealing or taking drugs	Children's play
Criminal damage or behaviour	Everyday living noise
Verbal abuse	Bonfires
Intimidation and harassment including stalking and hate crimes	Parking issues
Fly tipping/graffiti and vandalism to property	Personal differences or unfriendly looks/stares
Threats of or physical violence	Reasonable DIY activities

### 3.3 Good Neighbourhood Management Procedure

3.3.1 We'll follow our Good Neighbourhood Management Procedure instead of our ASB Procedure for reports of nuisance that:

- We don't consider to be ASB
- May be a type of ASB (e.g. dog nuisance, noise, misuse of communal areas) and we consider it the most effective way of resolving the issue.

3.3.2 We'll tend to use this procedure for new and emerging issues where the nuisance may not be intentional.

3.3.3 We won't usually consider it suitable to use this procedure if the reports relate to more severe types of ASB such as hate incidents or physical/threatened violence.

3.3.4 We won't usually complete a risk assessment matrix for issues dealt with through the Good Neighbourhood Management Procedure.

3.3.5 We'll tell you when we'll use the Good Neighbourhood Management Procedure and why we're using it. We'll talk you through the option(s) and agree actions that may help you resolve the issue with your neighbour. We may ask you to speak to your neighbour about the issue.

3.3.6 In order to be effective, action taken through this procedure requires the cooperation of all parties involved.

### 4.0 What is a hate incident/crime?

4.1 Hate incidents and hate crimes are acts of violence or hostility that the victim or anyone else believe to be motivated by prejudice or hate.

4.2 We define hate incidents as those where the hatred or prejudice is based on actual or perceived:

- Race
- Ethnic or national origin
- Religion
- Age
- Sexual orientation
- Gender
- Transgender identity
- Disability
- Appearance
- Personal characteristics (e.g. subculture groups such as goths or travellers)
- Marital or employment status.

4.3 When hate incidents become criminal offences, they're known as hate crimes.

## 5.0 Reporting ASB

- 5.1 Anyone can report ASB directly to us (please see [section 3.1](#) for incidents covered by this Policy). You can report ASB in a variety of ways, such as:
- Phone
  - In writing
  - In person
  - Email
  - [On our website](#)
  - Via your online account.
- 5.2 When we first receive a report of ASB from you. We'll take details of what happened and consider the:
- Severity of the incident
  - Duration
  - Time of day
  - Intentionality
  - Frequency
  - Impact
  - History of previous incidents.
- 5.3 We'll then decide whether to deal with your report through our ASB, Good Neighbourhood Management, or other procedure.
- 5.4 If your report relates to noise and we decide to deal with it through the Good Neighbourhood Management Procedure, we'll suggest action(s) we consider may improve the situation for you. This could include:
- You and your neighbour signing a Good Neighbour Agreement
  - Us undertaking a home visit to help determine acceptable levels of noise between the properties
  - Exploring simple practical measures to reduce the impact of noise (such as fitting pads on kitchen unit doors).
- If we decide to deal with your noise report through our ASB Procedure, we'll ask you to keep records of the incidents by completing diary sheets or using our Noise app. This will help us to investigate your reports. We'll also consider the range of options for noise cases available through the Good Neighbourhood Management Procedure. And suggest action(s) which may improve the situation for you.
- 5.5 If you complain about someone causing ASB, we won't disclose your details to them without your consent. However, if we propose to take legal action on a case, we may not be able to progress further if you're not prepared to attend a court hearing as a witness.
- 5.6 If the ASB you report is also a crime, we'd expect you to report it to the police first. And engage with them to investigate your report.

- 5.7 If we've decided to deal with your report as ASB, we'll complete a risk assessment to consider the risks to you and take action if appropriate (please see [section 7](#)).
- 5.8 We'll tell you who will handle your ASB case and agree an action plan with you. We'll keep you updated every 15 working days (or at less frequency with your permission) on the action we take. And we'll expect you to report new incidents to us.
- 5.9 We'll take appropriate action to investigate ASB reports. This could include:
- Contacting witnesses
  - Interviewing the other party
  - Requesting information from the police or local authority noise team about an incident
  - Listening to Noise app recordings.

We may use monitoring equipment to assist us.

## **6.0 Action we'll take to deal with ASB**

- 6.1 After we've investigated your ASB report, we'll then decide on action to deal with the ASB. The action we'll take will be proportionate to the:
- Seriousness, impact, and frequency of the behaviour
  - Risk it poses to those affected
  - Evidence available.
- 6.2 We recognise addressing ASB early can stop problems escalating. We may take informal action in some cases, including:
- Verbal and written warnings
  - Mediation
  - Acceptable behaviour agreements
  - Parenting agreements
  - Good neighbour agreements.

We'd usually use these measures in ASB cases involving (this is not an exhaustive list):

- Noise
- Harassment/intimidation
- Misuse of communal areas
- Vandalism.

The action we take will be based on the circumstances of the individual case. We won't usually use these measures in cases where we've evidence of violence or drug dealing.

- 6.3 In cases of violence, other serious behaviour, or where informal approaches have been unsuccessful, we may take legal action where we've sufficient evidence. This includes:
- Eviction proceedings
  - Civil injunctions.
- 6.4 We will support other agencies in taking action where they have the prime responsibility and powers to do so. We'll tell you when this is the case.
- 6.5 If there's an ongoing police investigation, we may wait for the outcome of this before taking further action. We'll tell you when we do this and explain our reasons.
- 6.6 After we've taken all reasonable action to deal with the ASB, we'll consider closing the case if there's no further incident. We'll confirm to you in writing.
- 6.7 **Our service standards:**
- 6.7.1 If we deal with your report through the ASB Procedure (this includes those noise reports we consider should be dealt with as ASB), we'll complete a risk assessment with you;
- If it produces a high score, we'll respond to your report within one working day
  - If it produces a medium or low score, we'll respond to your report within five working days.
- 6.7.2 Where we deal with your report of noise or other nuisance through our Good Neighbourhood Management Procedure, we'll respond to you within five working days.
- 6.7.3 After this, we'll keep you updated every 15 working days (or at less frequency with your permission) for all cases dealt with through the ASB Procedure or Good Neighbourhood Management Procedure.
- 6.7.4 If we're unable to meet one of our service standards, we'll let you know and provide you with a revised timescale.

## 7.0 How we'll support you

- 7.1 We'll follow our [Reasonable Adjustments and Vulnerable Needs Policy](#) when we deliver services through the ASB Policy. And use our risk assessment to help us identify any vulnerabilities you or the other party may have. And the impact the ASB is having on your wellbeing. We'll incorporate any additional needs or support within our action plan. The support we offer will be based on your situation. And may include:
- Arranging to visit you at home (or another location if preferred)
  - Providing additional security measures to victims of harassment
  - Signposting or referring you to an external support agency. For example, [Victim Support](#) is a national charity who can support anyone affected by crime.

7.2 Where we become aware a person causing ASB needs additional support, we'll take reasonable steps to help them access it. When considering action, their needs will be assessed against the impact of their behaviour on others.

7.3 We may make referrals to specialist support services for some protected groups detailed in [section 4](#).

## **8.0 If you're unhappy with the handling of your case**

8.1 If you're unhappy with our overall handling of your case, you can let us know by giving us feedback or by following our [Complaints Policy](#).

8.2 You may also contact the local authority to see if they can review the case through the '[community trigger](#)'. This involves an independent panel reviewing how all the key agencies involved dealt with the ASB.

## **9.0 What we've done to ensure this Policy is fair**

9.1 We've carried out an Equality Impact Assessment to consider the impacts this Policy may have on people with protected characteristics under the [Equality Act 2010](#).

9.2 We recognise some residents may need adjustments due to a language barrier, disability, cultural need, or vulnerability. In these circumstances, in line with our [Reasonable Adjustments & Vulnerable Needs Policy](#), we'll work with residents to ensure we consider their specific needs, on a case-by-case basis, provided it doesn't compromise health and safety to individuals or homes. This includes working in partnership with other agencies to ensure we manage and mitigate any known risks of safety and wellbeing.

9.3 We aspire to embed diversity and inclusion within the culture of our business activities

## **10.0 How we'll keep your information safe**

10.1 We'll store your information securely in line with our [Data Protection Policy](#).

10.2 We may share personal information with other organisations; we may give or receive information. We will make sure information is kept safe and confidential. We will only share information where we have sharing protocols in place and/or confidentiality agreements signed. We will also give information to other organisations where we have to by law.

## **11.0 Monitoring**

11.1 We record and monitor ASB cases. We'll:

- Use this information and the results from the relevant Tenant Satisfaction Measures surveys to monitor our performance
- Undertake reviews of our performance against service standards

- Undertake reviews to monitor individual case progression
- Use feedback from residents and other stakeholders to improve our ASB service.

## 12.0 Review

12.1 We will review this Policy to address legislative, regulatory, best practice or operational issues.

<b>Controls</b>
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Appendix

