



HONEYCOMB GROUP

Anti-Social Behaviour, Hate Crime & Hate Incidents Policy

Anti-Social Behaviour, Hate Crime & Hate Incidents Policy

Who's this for?	The Honeycomb Group – Staffs Housing; Concrete; Glow
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Owner (Executive Lead)	Executive Director of Operations
Approved by Executive Team	Executive Team 22 July 2024
Approved by Customer Services Committee	Customer Services Committee 30 July 2024

1. Policy Statement

This policy sets out how we deal with reports of anti-social behaviour (ASB) and the action we may take against those causing ASB.

Our response to ASB applies to our Honeycomb Group (HG) customers, other persons causing a nuisance in neighbourhoods where we own properties; and visitors to our neighbourhoods where this interferes with our neighbourhoods and communities. This includes ASB towards our staff and contractors.

In this policy, we use the umbrella term “ASB” to cover anti-social behaviour, hate crime and hate incidents. Each of these terms are explained in Annex 1.

The policy includes our response to domestic abuse, and this is also covered in our separate Domestic Abuse (DA) policy. We are committed to supporting victim survivors of DA and will take that into consideration in the operational implementation of this policy.

Complaints about the way we manage our response to ASB reports are dealt with through our complaints policy.

It is important that neighbours understand and tolerate the different lifestyle of others, so long as their lifestyle is reasonable. People have a right to enjoy their homes and are entitled to go about their daily lives without having concerns that complaints will be made against them. We do not consider low-level neighbour disputes and day to day living noise, which is not excessive or unreasonable, as ASB.

We are committed to working with customers and local communities to create safer communities where customers and their families can enjoy a quality of life free from ASB.

We will take positive action, using all the tools available (including the Noise App) to deal with ASB to ensure that our customers enjoy their right to the quiet enjoyment of their tenancy and feel safe and secure in their homes and communities.

We will work in partnership to take appropriate action to tackle ASB caused by anyone living or visiting the communities in which its homes are situated.

In developing its ASB, hate crime and hate incident policy we have, and will continue to consult with customers, partner agencies and stakeholders.

2. Our Approach

Our approach is that we will:

- Comply with legal, regulatory and contractual requirements in order to prevent and tackle anti-social behaviour, hate crime and hate incidents.
- Take a victim-centred approach.
- Communicate clearly with our customers to explain anti-social behaviour and our approach, so they understand what they can expect from us and what we expect from them.
- Expect customers, members of their household and visitors to be considerate, tolerant, and understanding of others and behave reasonably, in accordance with the responsibilities set out in the tenancy and lease agreements and licence agreements.
- Encourage customers to resolve their own matters with their neighbours where it is safe and appropriate do so, while being clear about the circumstances in which we may take action and how we will proceed where that is the case.
- Ensure customers can easily and safely report incidents and are kept proactively informed about our response to those reports and progress in dealing with ASB.
- Risk assess the level of harm the anti-social behaviour, hate crime or hate incidents causes to individuals when the matter is reported and while a resolution is looked for.

- Aim to resolve cases promptly using the full range of methods and legal powers available to us. This means taking reasonable, timely and proportionate action appropriate to the harm caused.
- Work in partnership with other agencies to prevent and tackle anti-social behaviour, hate crime, and hate incidents.
- Provide appropriate support to victims and witnesses, including referrals to support services.
- Consider ASB in reviewing and determining whether to offer tenancies.

3. Background

The policy supports the delivery of our strategic objective to meet our legal and regulatory requirements.

The main legal requirement for registered providers (RPs) is set out in the Housing Act 1996. The Act requires RPs to prepare a policy in relation to ASB, publish a statement of the policy, keep the policy under review and, when it's appropriate, to publish a revised statement.

In preparing and reviewing the policy, RPs must have regard to guidance issued by the Regulator of Social Housing (RSH) and the Neighbourhood and Community Standard 2024. This standard requires landlords to engage with other relevant parties so that our customers can live in safe, well-maintained neighbourhoods and feel safe in their homes.

The full range of methods and powers available to us to resolve ASB is outlined in the Anti-Social Behaviour, Crime and Policing Act 2014. These include, but are not limited to, civil injunctions and possession action.

The Equality Act 2010 is important when we seek to resolve ASB as it provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

We are mindful of our duties under the Equality Act 2010, and we work in full compliance with our Equality & Diversity policy in order to provide a fair, accessible and transparent service.

We shall also comply with the Domestic Abuse Act 2021.

Finally, our tenancy, lease agreements, and licence agreements set out our expectations about how our customers should live in their homes.

4. Receiving reports of ASB

People can report ASB to Honeycomb in a number of different ways. This includes by email, telephone, letter or through our website. Reports can be made to any member of staff during normal working hours.

Staffs Housing teams will acknowledge all new ASB reports within our target timescales. These are Level 1 within 24 hrs; Level 2 within five days; Level 3 within seven days. Please refer to our website for more information.

Serious ASB, for instance where there is actual or an immediate risk of harm, should be reported to the police by dialling 999. We will encourage people to report criminal acts to the police and any hate incidents.

5. Assessing the risk, support needs and vulnerability

When we receive a report of ASB, we will assess the impact the ASB is having on the individual, and whether they are vulnerable and have any support needs. We may also use risk assessments to help us understand the impact in more detail to help with support needs.

For Concrete and Glow customers, staff will review the customer risk assessments of all parties involved before taking a view on action to ensure that the needs and vulnerabilities of each individual are taken into account. If needed, Concrete and Glow staff will liaise closely with other support agencies to support both the alleged victim and perpetrator to ensure that appropriate consideration is given to the needs of all involved.

6. How we will take action

We will take balanced and timely action to deal with the ASB. The action will be proportionate based on the level of severity, impact and frequency of the ASB and the evidence available to support the case. In most cases, legal action is not required, however, we will take legal action if it is appropriate to do so.

We will consider the needs of each household member for all involved, or others within a scheme for our Charity customers. This includes the household of the complainant and the alleged perpetrator. We may then make referrals to appropriate support agencies as required. We will regularly review the proportionality of our actions as we seek a resolution to the ASB.

7. Taking action

We anticipate most people to be able to solve their own problems with their neighbours, but if they cannot, we may take action.

There is a variety of action we may take to resolve the ASB. This action may be preventative, non-legal, or legal. Sometimes a single action may be taken, and sometimes a number of actions and /or other measures may be taken. For example, Acceptable Behaviour Contracts (ABCs), action plans,

tenancy breaches, exclusion from mutual exchange, restrictions on certain planned improvements; applying for tenancy demotion.

We will work with the complainant and the alleged perpetrator where this is possible, to agree a plan to tackle the ASB. This will set out the actions the person and HG may take to stop the ASB. Where it is appropriate to do so, we will use mediation to try and resolve the ASB before it escalates.

Where mediation and reasonable requests to stop the ASB fail, we may decide to take additional action to resolve the behaviour. In serious cases this may include taking legal action, or for Staffs Housing, an injunction or possession may be obtained. We will also work with partners to obtain Community Protection Notice and closure orders.

A named member of the team will keep customers informed at regular intervals about the action being taken, including the next steps to deal with the ASB. We will agree the frequency of those updates with the customer.

8. Domestic Abuse

Staffs Housing works in partnership with DAHA (Domestic Abuse Housing Alliance) to ensure front line staff are suitably trained to offer assistance and appropriate support to those who are suffering from domestic abuse.

Staffs Housing will track cases of DA to ensure that we are responding effectively to the needs of DA victims. When DA is the reason for complaints about the tenant by neighbours this will be handled sensitively to ensure the victim survivor feels supported and receives advice and assistance.

It is important that victim survivors of DA are not disproportionately affected by reports of ASB, when the perpetrator of the domestic abuse is responsible,

We are also committed to ensuring that perpetrators of domestic abuse are tackled suitably for the protection of the victim survivors, and we will use the tools available to us to enforce action against any perpetrators who hold a tenancy with us.

9. Working in Partnership

We know that dealing with ASB quickly can help prevent it from escalating and becoming a major issue. Where we have a particular problem with ASB in neighbourhoods where we own properties, we may work in partnership with other agencies including the police or local authority to tackle the ASB. This includes responding to community triggers (also known as an ASB case review) whereby victims of persistent ASB may request a review of their case (see Annex 1 enclosed).

Where responsibility for investigating an incident lies with another agency, such as the police or local authority, we will provide that agency with appropriate support. This includes providing relevant information to help them resolve the matter following GDPR legislation and Information Sharing Protocols.

10. Closing Cases

We will close an ASB case when:

- the behaviour has improved to an acceptable level
- when there is no further reasonable action that HG may take to resolve the matter
- at the request of the customer reporting the ASB
- if the complainant fails to engage in reporting and collating evidence

We will seek to discuss our intention to close the case with the reporting customer before closure. We will only consider re-opening a case if it is appropriate to do so.

11. Staff Training

We will provide regular training, both for our customer-facing staff who may receive reports of ASB and for staff responsible for managing ASB cases. We will also provide domestic abuse training for all our staff.

12. Improving our Services

We will regularly monitor the progress of ASB cases. We will conduct satisfaction surveys when we close reports and analyse the data to look at any learning and service improvements.

13. Data Protection and confidentiality

We will comply with the collection, storage, access to, provision of and disclosure of data in accordance with the Crime and Disorder Act 1998, General Data Protection Regulation 2016 and the Data Protection Act 2018.

14. Review

This policy shall be reviewed every three years, and a review may be required earlier if there is a legislative or regulatory requirement or significant change.

July 2024

ANNEX 1

Definitions Term Description Anti-social behaviour

Anti-social behaviour means:

- 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, or
- Conduct capable of causing housing-related nuisance or annoyance to any person. Examples include:
 - Playing loud music, radios and televisions
 - Shouting, arguing, swearing and slamming doors
 - Allowing dogs to bark or roam
 - Allowing animals to foul shared areas
 - Using noisy machinery
 - Being drunk and disorderly in the neighbourhood
 - Prostitution
 - Selling drugs, or drug and alcohol abuse
 - Dumping rubbish
 - Obstructing shared areas
 - Dismantling or repairing motor vehicles
 - Driving, riding or using vehicles (including bikes, motorcycles, quad bikes, and mini-motos) or skateboards dangerously or inconsiderately or on paths or within pedestrian areas
 - Throwing anything out of a window of your home
 - Displaying offensive or obscene messages or posters
 - Causing graffiti or damaging property
 - Playing ball games near other people's homes or cars or where ball games are not permitted
 - Interfering with or damaging security or safety equipment in any property
 - Failing to maintain your garden to an acceptable standard.

Community trigger (also known as an ASB Case review):

This is a mechanism for victims of persistent anti-social behaviour to request that relevant bodies undertake a case review. A case review would entail the relevant bodies sharing information in relation to the case, discussing what action has previously been taken, and collectively deciding whether any further action could be taken.

Relevant bodies are set out in the Anti-social Behaviour, Crime and Policing Act 2014 and include local authorities, the police, health providers and providers of social housing.

Any individual, community or business can make an application for a case review, and the relevant bodies must carry out a case review if the threshold is met.

The threshold will be set by the relevant bodies and could, for example, be three reports of separate incidents of anti-social behaviour in a six-month period, where there has not been an adequate response to that behaviour.

The threshold may also be set with reference to the persistence of the behaviour, the potential for harm to the victim, and the adequacy of response from agencies.

Hate Crime:

Any criminal offence which the victim, or any other person, views as being caused by prejudice or hate because of a person's actual or perceived disability, gender reassignment, race, religion, or sexual orientation. Hate crimes can include:

- Assault
- Criminal damage
- Robbery
- Sexual assault
- Theft
- Inciting others to commit hate crimes
- Harassment Hate crime comes with a heavier sentence than ASB, if proven.

Hate Incident:

Any incident which is viewed by the victim or anyone else as being caused by prejudice or hate because of their disability, gender identity, race, religion or belief, or sexual orientation. Not all hate incidents are criminal offences. The individual does not need to personally perceive the incident to be hate related. It is enough if another person thought that the incident was hate related. Hate incidents can include:

- Verbal abuse or insults
- Isolation and exclusion
- Abusive phone calls or text messages/hate mail
- Online abuse
- Distributing discriminatory literature
- Bullying or intimidation
- Damage to home, pets, vehicle, etc