

# Housing Anti-Social Behaviour (ASB) Policy

## 1. Overview / Policy Statement

- 1.1 South Oxfordshire and Vale of White Horse District Councils (the councils) are committed to ensuring that tenants and the wider community can live safely in their homes. As such, this policy outlines the councils' approach to delivering an effective and victim centred approach to ASB.
- 1.2 The councils are committed to preventing, identifying, and dealing with all types of Anti-Social Behaviour (ASB) and hate related behaviour and crimes.
- 1.3 ASB is defined in the UK as behaviour that causes or is likely to cause harassment, alarm, or distress, or is capable of causing nuisance or annoyance in residential contexts (Anti-Social Behaviour, Crime and Policing Act 2014; Anti-Social Behaviour Act 2003).
- 1.4 Everyone has the right to live peacefully in their own home. The councils will seek to prevent and tackle ASB effectively, sensitively, and swiftly. Where no ASB is found, findings will be explained to the complainant. Malicious or unreasonable complaints may result in either case closure or counteraction.

## 2. Objectives

- 2.1 The objectives are as follows:
  - Prevent ASB through early intervention and neighbourhood solutions
  - Take proportionate and appropriate action to address ASB
  - Work in partnership with other agencies, including the police
  - Ensure a consistent and fair approach to complaints
  - Use tools and powers available to local authorities to resolve issues

## 3. Scope

- 3.1 This policy applies to all housing accommodation provided by the councils and can include hotels and bed and breakfasts. It addresses:
  - ASB involving council tenants
  - Hate incidents and safeguarding concerns

## 4. Roles and Responsibilities for Delivery

- 4.1 The roles and responsibilities for delivery are as follows:
  - Head of Service: Overall responsibility for policy implementation

- Housing Delivery Manager: Responsible for the operational implementation of the policy
- Housing Landlord Team Leader: Daily oversight of the operational implementation of the policy
- Community Safety Team Leader: Strategic coordination and advice
- Property and Tenancy Officers: Initial case response and recordkeeping
- All staff: Compliance with policy, recordkeeping and safeguarding responsibilities

## 5. Relevant Legislation

5.1 The relevant legislation is as follows:

- Anti-social Behaviour, Crime and Policing Act 2014
- Antisocial Behaviour Act 2003
- Crime and Disorder Act 1998
- Housing Act 1996 and 1985
- Protection from Eviction Act 1977
- Regulation of Investigatory Powers Act 2000 (RIPA)

## 6. Relevant Policy and Procedure

6.1 The relevant local authority policy and procedures are listed below:

- The councils' Safeguarding Policy (children, young people, vulnerable adults)
- Oxfordshire Safeguarding Adults Board (OSAB) Self-Neglect and Hoarding Policy
- The councils' Equality, Diversity and Inclusion Policy
- The councils' Data Protection policy

6.2 The relevant health and safety policy and codes for the councils will also apply to this policy. This includes, but is not restricted to:

- First Aid
- Violence and Aggression at Work
- Workplace Safety
- Incident Reporting and Investigation

## 7. Policy and Procedure

### ASB

7.1 Reports can be made via multiple channels. This includes emailing [tenants@southandvale.gov.uk](mailto:tenants@southandvale.gov.uk) to make a report, informing officers during tenancy audits, or by telephone at 01235 422422. Reports will be logged on Abris or other systems. Anonymous reports will be assessed based on evidence.

7.2 Available tools for addressing ASB include:

- Mediation
- Restorative approaches

- Acceptable Behaviour Contracts
  - ASB injunctions, possession proceedings
  - Community Protection Notices
- 7.3 Evidence gathering may include:
- Victim statements
  - Community harm statements
  - Incident diaries and Noise App
  - CCTV (with RIPA authorisation where surveillance is targeted)
  - Photographs and letter drops
- 7.4 All data pertaining to ASB reports and investigations will be stored and managed in line with statutory data protection requirements, as outlined in the councils' data protection policy.
- 7.5 Behaviour that is annoying but not malicious or persistent is generally not considered ASB. Examples include:
- Household noise
  - Poor parking
  - Children playing
  - Lifestyle differences
- 7.6 All ASB reports will be investigated. If ASB is identified, it will be graded on the following scale:
- Grade One: Serious threats, violence, hate crime
  - Grade Two: Targeted, continuous intimidation or damage
  - Grade Three: Nuisance through carelessness or incivility
  - Grade Four: No breach or council powers to act
- 7.7 The councils aim to respond to complaints within three working days.
- 7.8 The councils will create action plans for all grade one and two cases.
- 7.9 Complainants will be assigned a named officer, and their confidentiality will be respected.
- 7.10 Cases with allegations and counter-allegations may be referred to mediation or closed if no resolution is possible.
- 7.11 Tenancy agreements outline obligations to avoid ASB and hate incidents. Enforcement action may follow breaches.
- 7.12 Legal action will only follow where proportionate and necessary. Possession is a last resort. Warning letters and safeguarding checks precede court action.
- 7.13 The councils do not have powers to enforce criminal law but will liaise with police and may additionally use civil remedies where criminal acts breach tenancy conditions (e.g. drug offences, violence).

- 7.14 Cases involving criminal activity will be handled on a case-by-case basis by engaging with Thames Valley police where appropriate and subject matter experts within the councils. All actions taken in response to criminal behaviour will be fully compliant with our statutory obligations and internal standards.
- 7.15 The councils may work with residents, tenants' associations, and partner agencies on community-based ASB strategies.
- 7.16 Hoarding will be treated primarily as a safeguarding issue and not as ASB. Responses include risk assessment, referral to support services, multi-agency cooperation, and sensitive interventions.
- 7.17 Miscellaneous issues (e.g. subletting or tenancy breaches) linked to ASB will be investigated by the Housing Landlord Team.

## **Hate Crime**

- 7.18 The councils will not tolerate hate crime. Hate crime is defined as:

*“Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.”*

*Definition adopted by the police and the Crown Prosecution Service*

Hate crime can involve physical assault, verbal abuse, or incitement to hatred.

- 7.19 If a potential hate crime involving a tenant is reported to the councils, or if we have reason to believe that a tenant has been the victim or perpetrator of a hate crime, we will work with subject matter experts in the councils and Thames Valley Police to deliver a case-by-case and victim centred response.

## **8. Communication and Contact Information**

- 8.1 For further information about this policy, please contact the Housing team on email: [tenants@southandvale.gov.uk](mailto:tenants@southandvale.gov.uk) or telephone 01235 422422.

## **9. Alternative Formats**

- 9.1 Please do not hesitate to contact a member of the Housing team if you would like this policy in an alternative format, via email: [tenants@southandvale.gov.uk](mailto:tenants@southandvale.gov.uk) or telephone 01235 422422.

## **10. Definitions**

- 10.1 Definitions are as follows:

- ASB: Anti-Social Behaviour
- RIPA: Regulation of Investigatory Powers Act
- CBO: Criminal Behaviour Order
- CCTV: Closed Circuit Television
- OSAB: Oxfordshire Safeguarding Adults Board

## 11. Change Record

<b>Change Record</b>	
Policy title	Housing Anti-Social Behaviour (ASB) Policy
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Author(s)	Housing Delivery Manager
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